THE WEEKLY SUN

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RURAL CUSTOMER

Volume 7 No. 30 | Serving Carmel Valley and Greater Carmel | Apr. 1, 1993

RSC Development Clears First Planning Hurdle

By Carolyn Rice

Despite opposition from both peninsula supervisors, Rancho San Carlos won the right to apply to build 350 homes and a 150 room hotel on its 20,000 acres at a marathon Board of Supervisors' hearing Tuesday.

During a non-stop, five hour session, watchdogs and critics of the proposed development let ranch managers and supervisors alike know in no uncertain terms that traffic and water still may pose big stumbling blocks to any project's approval.

The land use density for the ranch was set at one unit for each 40 acres on a 3-2 vote with Supervisors Karin Strasser Kauffman and Sam Karas voting against it. The two supervisors from the peninsula called for a designation of 160 acres per unit. The board also voted 5-0 to certify an environmental impact report (EIR) on the ranch's land use designation.

Purchased in 1990 by Pacific Union for $70 million, the ranch has been without a land use designation since 1985 when the former owners filed a lawsuit against the county and the court agreed the county process was flawed. It makes up the southern rim of most of Carmel Valley.

In addition to opposing the 40 acre designation, Strasser Kauffman and Karas opposed the comprehensive planned use overlay for the ranch which will allow managers to plan for the ranch as one unit and for mixed uses. Before adoption of the comprehensive planning, the ranch was located in three land use plan areas.

Karas said he has vacillated on the project which "will affect every one of us who live on the peninsula. If you think we can keep putting development here with the infrastructure we have, you're crazy, man."

As 101 people signed up to testify on the issue, County Counsel Doug Holland reiterated a number of times that the land use designation is not a project plan, and Rancho San Carlos will have to comply with many conditions before receiving approval of a project.

"It is an amendment to the land use plan only," Holland said. "I don't want anyone to misconstrue the action today would approve any part of the project."

But Strasser Kauffman who represents the area in which the ranch is located said, "It looks like the beginning of a project to me." She said she opposed the comprehensive planned use because not enough information was provided on traffic and water solutions. She also said she did not think it was legally defensible to move 76 lots

Continued on back page

DARK BASALT ROCKS, standing out sharply in a now-dry Carmel River channel, mark the location of a long-lost outcropping said to be 27 million years old. The outcropping was discovered when the river was forced from its northernly route at Carmel River State Beach to a new channel to the south. Geologist said the discovery would force them to rethink their theories about the area's geology .

Sun photo by Stan Hall

River Uncovers Lava Outcrop; Geologists Rethink Theories

By Stan Hall

An outcropping of 27-million-year-old basalt was discovered when county crews opened a new channel for the river at Carmel River State Beach, forcing geologists to rethink some of their theories about the peninsula.

"We're going to have to remap the Cypress Fault," said geologist John Kingsley, who has worked on the peninsula since 1963 and formerly taught at Monterey Peninsula College. "Now, we don't know where the hell it goes."

Asked if the discovery meant the area might be threatened more by earthquake activity, he said no. "It's mostly of academic interest. But to us, it's pretty exciting. The last time anybody wrote about it was 100 years ago."

The uncovered basalt—cooled lava which bubbled up from the earth's magma along the Cypress faultline—could be seen immediately below a Cypress tree on Scenic Road once the river channel there dried up when a new opening to the ocean was created to the south.

In contrast to the light tan granite rock in the area, the outcropping is dark, laced with small holes called vesicules from which hot gasses escaped while it was cooling and contains small, green deposits of a mineral known as iddingsite.

The discovery of the basalt outcropping followed the location of some 20 Indian bedrock grinding mortars in the nearby granite formation due to the river taking a route parallel to Scenic Road. Before it was rerouted, the river washed away part of a dune of accumulated sand that was some 30 feet high parallel to Scenic Road.

Using three bulldozers, Public Works Department crews rerouted the river by simultaneously cutting a new channel to the south Thursday while building a dam across its northerly course. During a winter of above normal rainfall, the river has been flowing to the ocean since Jan. 3.

Workers first opened a new channel to the south last Wednesday, but the heavy surf associated with a storm which brought rain to the area closed it with new deposits of sand during the night Wednesday.

Some residents expressed anger and dismay that the county had allowed the cliff beside the road to erode so much before beginning to try to rechannel the river. Perhaps as much as 20 percent of the root system of the mature cypress tree under which the basalt outcropping was found was left uncovered as erosion ate away at the sand bank for a couple of weeks.

Director Gerald Gromko of the Public Works Department defended the

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Farina Says Karas' Movie Part an Issue

By Stan Hall

Fran Farina predicted incumbent Sam Karas' bit part in a Clint Eastwood movie will be an issue in their race for fifth district supervisor because potential conflict of interest could force him to stand down on important votes.

Formally announcing her candidacy Friday at Vista Lobos Park in Carmel, Farina alluded to Karas' role in Eastwood's "Unforgiven" in answer to a question and without mentioning either man by name. She later talked freely about it in a telephone interview with the *Sun*.

Asked several times if she would try to make an issue of Karas' part in the film, she said, "It will be an issue. It's an ongoing conflict that will continue to raise its head. People in this district don't want a representative who has to step down because of conflict of interest."

Asked about Farina's statement, Karas said, "It's absolutely not true" that he would have to step down. He said he did excuse himself from taking part in a supervisors' vote on the establishment of development fees for Carmel Valley Road last year on the advice of County Counsel Doug Holland.

But he said Holland advised him he would only have to refrain from voting on issues involving Eastwood for a year, adding that the Fair Practices Election Commission looked into the matter and found no grounds for an ethics investigation.

"I never took any money from Eastwood," Karas said. "Warner Brothers did write a $1,000 check to the Peter Karas

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Sun Prints Ordinance

Study Zoning Text, White Urges

City Attorney Don Freeman prepared an "impartial analysis" of Carmel's embattled zoning ordinance while Mayor Ken White urged citizens to read the ordinance so they will be informed when they vote whether to support it June 8.

The Sun has printed the full text of the ordinance on pages 11 through 14 of this edition so that it may be pulled out and saved. The text of Freeman's analysis is on page 2. A map that helps explain the ordinance will be published in next week's edition.

"If people will go ahead and read the ordinance and study it," White said he was confident it would be upheld.

"It's an 'about time' ordinance," White said. "I worked with that ordinance at the Planning Commission and the City Council for seven years. I think it's an 'about time ordinance.'"

He urged citizens with questions to call the Planning Department at 624-6835 and ask for Acting Director Brian Roseth or Associate Planner Rick Tooker.

White said the City Council, which is divided 3-2 on the ordinance after a vote of 4-1 for original approval, had tentatively scheduled a Town Hall May 10 on zoning. He said the plan was to get the League of Women Voters to conduct a forum. Councilwoman Barbara Brooks voted in January for the ordinance then changed her mind and said she thought it should be rescinded.

"I don't think there's ever been a perfect ordinance written in Carmel," White said. "So you amend them."

LETTERS

Loss of Cultural Sites Unacceptable

The statements made regarding the Esselen position as reported in the March 18 article on the desal plant are irresponsible and utterly false.

The Esselen have made no demands for any financial support or any cultural center, or any cultural revitalization nor any access to conduct traditional activities.

We stated our position in our letter of Dec. 13, 1992, to the water management agency. The position of the Esselen is that we cannot give any permission for the dam at all since it will destroy, desecrate, or otherwise render asunder over 26 Esselen Native American cultural sites. It will eliminate or severely impede our aboriginal rights to hunt and fish, to harvest medicinal herbs and plants and to gather plant materials for basket making. Such loss is simply unacceptable.

There is no manner in which the destruction of the sites can be mitigated. It would be the equivalent of trying to visit the Sistine Chapel or the Wailing Wall or the Holy Mosque in Jerusalem wearing scuba gear in a lake in a gravel pit.

The sites to be destroyed by the dam are essential to the continuation of the Esselen culture. This culture has flourished in Cachagua for well over 4,000 years, pre-dating the Rumsen and Ohlone era in Carmel. The rights of the Esselen and all native peoples to oppose the taking of cultural resources is protected under state law, California Environmental Quality Act, and federal Law, National Environmental Protection Act.

We will pursue our rights to the fullest.

John Polomo Brennan
Jamesburg

The author refers to a quote from Dick Heuer, a member of the water management district board who is opposed to plans for a desal plant on grounds its approval will jeopardize prospects for a new dam on the Carmel River. Appearing before the Carmel Valley Property Owners Association, Heuer was asked about Esselen opposition to the dam. He said Indian requests for financial support of a culture center were blackmail. "It's very easy to be blackmailed and extorted," he said. He also said impacts on the historical cultural sites could be mitigated.—The Ed.

Slavishly Kowtow to Money?

At one time, I was told that letters to the editor in the in the *Sun* would be rejected if they contained personal attacks. I was surprised to find the words "vicious" and "black heart" hysterically applied to members of the San Carlos Watch. It was also implied that they were "hiding" behind a group name. The individuals who make up this growing organization have been standing up to be counted all along. Nobody is doing any hiding. I found it tragi-comic that two letters (from the same real-estate concerns) pointed out excess developments of the past as their rationale for allowing the future excess development at Ranch San Carlos.

I was born here. My family has deep roots here. My children have grown up here. I have seen the encroachment of development slowly (and sometimes not so slowly), cut down the trees, suck up the water, crowd the roads, litter the landscape and create an entire class of development toadies who leap to support any moneyed interest which might put a dollar into their real estate, construction or retail business.

Perhaps, as the developers claim, there is ample water. Should we build a dam so that we can develop further? Should we create the "Carmel Valley Freeway" so that greater numbers can whiz in and out of our community? Should we support another resort with a new golf course or two? (After all, why should all that perfectly good water run down Garzas Creek and the Carmel River?)

I find it sad that even here in paradise there are those who will slavishly kowtow to money and prestige. Fortunately not all the locals automatically sell out to powerful development concerns. I applaud Dr. Retherford and other members of Rancho San Carlos Watch for their willingness to oppose this vast proposed development. No one is paying them to attend meetings or write letters. Theirs is a purely community volunteer effort.

I will not respond to vicious personal attacks in kind, but I would urge local citizens to "Look who's talking" when they hear such slanderous rhetoric. Ask yourself why such an attack would be launched with such vigor. Don't fall asleep, Carmel Valley, or one morning you will wake up in the northernmost suburb of Los Angeles.

Pat McAnaney
Carmel Valley

Maybe some recent letters should have been edited more rigorously, including this one. But we chose not to, wanting readers to have wide latitude to express their views on important and controversial topics. At the same time, the Sun doesn't want to print purely personal attacks. We would be the first to admit, however, that discerning a clear line between a personal attack and fair comment about someone actively taking part in a public debate is sometimes hard to draw. As for the term "black heart," it was used personally by some opponents of the proposed development to identify themselves at an organizational meeting of San Carlos Watch three weeks ago.—The Ed.

False and Misleading?

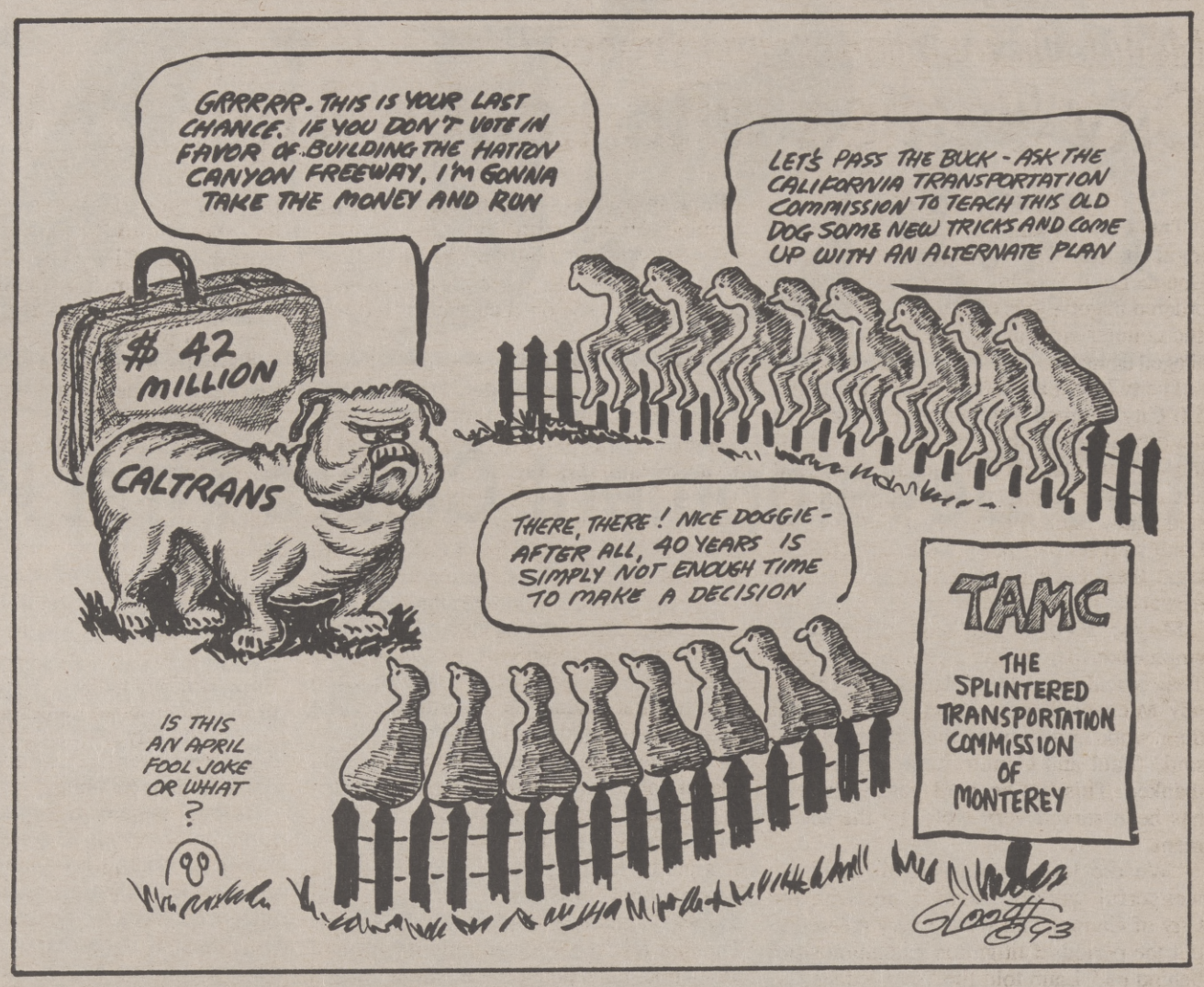
I may have voted for Barbara Brooks once, but I will never make that mistake again.

I was shocked to read the false and misleading statements Mrs. Brooks made in a recent interview in the Carmel Residents Association newsletter and in the ballot argument against measure H printed in last week's *Sun*.

I don't believe I'm alone in feeling that it is inappropriate behavior for council members to flat-out fabricate to their constituency and play political games on issues that affect every resident. These are serious times for Carmel-by-the-Sea, and we deserve fair, responsible government from our elected officials.

Rumor has it that Mrs. Brooks wants to run for mayor in 1994. I wonder what side of her mouth she'll be talking out of then?

Joseph N. Chaffers
Carmel


GRRRRR. THIS IS YOUR LAST CHANCE. IF YOU DON'T VOTE IN FAVOR OF BUILDING THE HATTON CANYON FREEWAY, I'M GONNA TAKE THE MONEY AND RUN
$ 42 MILLION
CALTRANS
LET'S PASS THE BUCK - ASK THE CALIFORNIA TRANSPORTATION COMMISSION TO TEACH THIS OLD DOG SOME NEW TRICKS AND COME UP WITH AN ALTERNATE PLAN
THERE, THERE! NICE DOGGIE - AFTER ALL, 40 YEARS IS SIMPLY NOT ENOUGH TIME TO MAKE A DECISION
TAMC
THE SPLINTERED TRANSPORTATION COMMISSION OF MONTEREY
IS THIS AN APRIL FOOL JOKE OR WHAT ?
Glodt '93

Official Impartial Analysis Of the June Ballot Measure On Rezoning in Carmel

By Donald G. Freeman
City Attorney, Carmel-by-the-Sea

Title 17 of the City of Carmel-by-the-Sea's Municipal Code pertains to zoning relative to the allowed use of land within the city's boundaries.

The ballot question asks whether zoning boundaries should be changed to expand the Central Commercial District and reduce the Service Commercial District. The proposed changes were developed by the City's Planning Commission and were reviewed by the City Council.

The Central Commercial District defines an area of the City for use by a variety of commercial businesses that serve visitors and local residents. The Service Commercial District defines an area of the City for use by a variety of businesses that primarily serve local residents.

The proposed amendment of Title 17 of the Municipal Code would do the following:

1. Expand the Central Commercial District (CC) south to Seventh Avenue in blocks 75, 76 and 77 affecting 17 lots (1.56 acres), retain the Service Commercial District (SC) designation for all other properties now zoned SC in that area and change the allowed uses in each of the three primary commercial zones.

2. Add a definition of "intensity of use" and apply this definition when evaluating proposed land use changes.

3. Amend the table of commercial land use categories to:

(a) regroup and reduce the number of business categories;

(b) reduce the number of uses requiring use permits and Planning Commission approval;

(c) establish more definite criteria for approving uses; and

(d) simplify the process for obtaining a business license based upon staff review and approval.

4. Delete the Overlay District which now requires Planning Commission approval for all land use changes on Ocean Avenue, replacing it with new design standards and prohibiting new food uses (restaurants, bakeries, markets, etc.) on Ocean Avenue.

5. Limit certain uses to a specific number: 32 jewelry stores, 10 novelty/souvenir/T-shirt shops, and 8 restaurants in the Residential Commercial (RC) District. Establishing numeric limits would prevent an increase from the existing number of these uses in the Commercial Districts.

The proposed changes will affect the land use approval process, and over time, may change the number and location of some uses. To the extent that specific types of land use can generate impacts on the community, the proposed changes might allow an increase in impacts if the intensity of land use were to increase. Adopted measures to control noise and delivery operation hours for businesses located near the Residential District are included to minimize such impact.

A "Yes" vote would approve these changes. A "No" vote would deny these changes and the current zoning process would remain as now specified in Title 17 of the City's Municipal Code.

Everybody likes to read interesting, provocative letters. They offer you the perfect chance to share your ideas with others. The *Sun* encourages all original letters on topics of local and regional issues. But it will no longer knowingly print letters which have appeared in, or also been sent to, other publications. The *Sun* imposes no length limits on letters, but urges correspondents to keep their arguments as brief as they can and still make their point. There is no limit on how often an individual writer can appear in the paper, but when space is a consideration, the editor will give preference to those whose letters have not appeared recently. Write to the *Sun* at P. O. Box 931, Carmel Valley 93924-0931, or FAX your letter to 659-5774.

THE SUN

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***The Weekly Sun* Mailing Address is: P. O. Box 931, Carmel Valley, CA, 93924-0931.** The office is located at 10 E. Carmel Valley Road, **Phone: (408) 659-4855. FAX (408) 659-5774.** The *Sun* is published every Thursday. Circulation is 11,000. Subscription rate for mailing outside normal free distribution area is $33 for one year (51 issues). Entire contents Copyright by *The Weekly Sun*. All rights reserved.

Multi-Million Dollar Claims Dropped

City Settles with Laubs After 13-Year Legal Battle

By Isabelle Hall

The City of Carmel settled a 13-year legal battle with merchants Paul and Connie Laub Tuesday after a year of court-ordered negotiations over a slew of lawsuits and counter-suits and some $27 million in alleged damages.

The two-part agreement was settled on a 5-0 City Council vote without any cost to the city although the legal burden of dealing with the Laub's fight against City Hall has cost the taxpayers $147,706, officials said, since Laub filed his first suit in 1980. Laub said he had paid about $500,000 in legal fees. Each party pays its own legal fees under the agreement.

Mayor Ken White said, "I want to emphasize that it was a unanimous vote. That is real important." He thanked attorney Michael Stamp and city staff for all their work in achieving the agreement and said, "Paul and Connie Laub ought to be thanked. This has been 13 years. The city has been served very well" by the settlement.

"We are looking forward to having a wonderful working relationship with the City of Carmel, and we are very pleased to put the period of litigation and animosities behind us," Laub told the *Sun* Wednesday. Neither he nor his attorney was on hand for the council action.

The City Council met behind closed doors for about 25 minutes Tuesday before approving the settlement which requires Laub to extensively remodel the exterior of his Paradise Building at Ocean Avenue and Dolores. Charges of contempt would be dropped against Connie Laub, who is living in Hawaii; retail uses in the basement of the building would be eliminated; and use permits approved so that the building could be run either like a department store or have 10 different business uses. All existing legal suits would be dismissed upon completion of the so-called Development Agreement.

Laubs filed a suit in 1988 claiming $6 million in damages and subsequently filed damage claims with the city totaling $21,153,500 they said they had lost since 1986 in attempts to get approval for various business uses on their Ocean Avenue properties.

Execution of the 25-page agreement which was approved by the Monterey County Superior Court will take several months but was expected to move quickly because "time is of the essence" in the settlement. The first public hearing on Laub's exterior remodeling plan will be April 28 before the Planning Commission to approve an ordinance for adoption by the City Council. White explained the commission's role was one of "review" only.

Commission action will be followed by a public hearing before the City Council in June for first reading on the ordinance. The following month the ordinance would be up for second reading and, if approved, could take effect 30 days later in August.

The agreement called for the council to announce the results of the settlement at a public hearing which was held in the basement at City Hall at 4 p.m. and to hold a news conference to announce the results. The *Sun* reporter was the only member of the public in attendance at the brief council session and at the news conference. The council was unable to use the council chambers because the Forest and Beach Commission was meeting there.

"This doesn't give away what the city has gained in prior lawsuits," White said at the news conference. "It saves the city's legal budget category in the long run. We feel this is very fair to the Laubs and to other property owners in Carmel-by-the-Sea." Asked what he meant, White said, "More of the inequities that have developed are being eliminated. He's been having uses that other buildings didn't have."

The Paradise Building is a three-story structure on a 4,750-square foot corner lot in a prime downtown location.

The Laubs, who also own commercial property on two other Ocean Avenue corners, became so frustrated in their running battles with City Hall that on Aug. 8, 1991, they started a tabloid newspaper, *Freedom of Speech,* to attack the city. The irreverent publication used satiric cartoons and articles to complain about over-regulation of business, public officials and government staff.

Laub had a running verbal battle with former Mayor Jean Grace but has had nothing but praise for her successor, although White served on the previous council for four years.

At the height of the battle in the summer of 1991, Connie Laub was cited for contempt of court and was threatened with jail. She was fined $3,000 for willfully violating a court order not to use part of the Paradise Building for business without getting city permits. Much of the legal fights were over their rights to have jewelry stores in their buildings.

The settlement describes the Paradise Building as "a unique commercial building within the City of Carmel-by-the-Sea, presenting special zoning and use considerations." Stamp explained that Laub established a wide variety of uses in the 1970's long before the zoning regulations were adopted in Carmel in 1984. Under the agreement, Stamp said Laub "has the right to choose up to 10 uses, or he can turn it over to one master tenant (the agreement uses the example of Macy's) so he can run it as a department store."

Judge William Wunderlich presided over the half dozen judicial conferences with the Laubs and city attorneys. Stamp said Wunderlich's last act as a Superior Court judge was presiding over the final Laub conference before he left to be sworn in as a judge of the Sixth District Court of Appeals.

The agreement generally recognizes the nonconforming rights which were grandfathered into the 1984 zoning ordinance and the restrictions placed on those uses in 1987 when the city won one of the lawsuits giving it the right to restrict retail business in the basement and requiring approval of all uses.

Once the Development Agreement calling for extensive remodeling of the exterior of the Paradise Building is completed, the four lawsuits Laub has pending against Carmel would be dismissed, and the 1991 contempt citations against his wife set aside. The superior court retains continuing jurisdiction of the case to resolve "any disputes that may arise."

The agreement lets Laub have a maximum of 50 percent of his space allocated to T-shirts not the 10 percent allowed under city regulations, "in recognition of an existing, vested use of that scope and nature." Retail jewelry space is restricted to 1,000 square feet which does not have to include a repair or craftsperson, a major bone of contention between Laubs and the city, plus a second jewelry store with a craftsperson on the site that sells no mass produced items and is limited to 1,000 square feet.

Retail space for the sale of art also was restricted to 1,000 square feet. Once the second phase of the remodeling is completed, it could increase to 1,500 square feet. No food, liquor, restaurant or retail food uses "of any kind" are allowed unless the city changes its regulations.

The remodeling includes lighting and landscaping of the Dolores side of the building in two phases. Under the first phase, Laub will propose plans to remodel the Ocean Avenue entrances and windows, repaint the exterior of the building, and provide a lighting and landscaping plan.

No later than April 15, 1994, Laub must submit a proposal for approval for the second phase which calls for remodeling of the Dolores Street side of the property and a lighting and landscaping plan for the west side of the building. Under the agreement, Laub may, but is not required to, remodel the interior space.

Planning Commission Deadlocks on Resident Permit Parking Plan

"Good God," exclaimed Planning Commissioner Lindsay Hanna. "Can you just see that in the *New York Times?* If you think ice cream cones were something, just wait."

He was reacting to a suggestion, offered during a long and tortuous discussion of the Ad Hoc Planning Committee's recommendations March 25, that maybe parking in Carmel's R-1 residential district should be reserved exclusively for "residents, property owners and their guests."

With Commissioner Maggie Hardy absent for the discussion, the Planning Commission was unable to agree what to do about parking in the residential district, deadlocking on a series of 3-3 tie votes. It was the second meeting in a row that ended in a stalemate on the difficult issue of creating a permit parking program in the R-1 district.

"I think we've just about beaten this to death, going in smaller and smaller circles," Chairman Jack Kennedy said in shutting off further debate.

But members did agree to recommend to the City Council that Rio Park be used as an off-site lot for perhaps a year-long pilot study of its suitability for employee and tour bus parking and that it be served by an "electric" shuttle to downtown.

Asked about the suggestion, Assistant City Administrator Greg D'Ambrosio said, "That's all a flood plain. It would require intensive environmental review." He pointed out that the land is in the ultra-sensitive coastal riparian corridor.

Commissioners also agreed to recommend a similar, but perhaps shorter trial period of two-hour parking on Ocean Avenue where the limit is now an hour.

Alan Williams, chairman of the Ad Hoc Parking Committee who appeared briefly before leaving to catch an airplane, said the committee's two-and-a-half-year study focused on the "carrot and the stick" approach.

The stick, he suggested, was the committee's proposed permit system, with a nominal charge, to allow employees of Carmel businesses to park in residential neighborhoods where homeowners did not object. The idea would be to get them out of parking spaces in the business district needed for visitors and shoppers.

Williams said the decision should be made block-by-block with the consent of homeowners. "How do you bring the public into it? Talk to them one on one. That's the best kind of government I know," Williams said. "I think you came farther than you thought you did" at the March 10 meeting, he added.

"It's a learning process and we're learning," Kennedy said, likening the problem to playing a chess game when "you can get out a limb."

After Williams had left, several commissioners suggested enforcement would be a "nightmare" if permit parking were allowed piecemeal in R-1.

They were even stronger in suggesting that given a choice, few residents would be willing to allow others to park in their neighborhoods.

Carl Livingston, a commissioner who formerly operated parking garages in San Francisco, added, "I'm worried about workers in residential areas. Residents are not going to like that idea...There will be a tremendous uproar."

"I can't see any resident having any incentive to let employees park in front of their houses," Kennedy agreed. "I do not think we should legitimize employee parking in R-1."

Commissioner Melanie Billig, who first proposed using Rio Park for off-site parking, suggested that the commission approve a set of goals from the committee it endorsed two weeks ago, but should strike any reference to a permit system in residential neighborhoods.

Commissioner Ed Jordan objected, as did Livingston. Hanna and Jordan both expressed a preference for retaining the references to permit parking in R-1, arguing that employees and visitors already park in many residential neighborhoods.

"You can't make the residential area exclusive," Livingston insisted, joining in Hanna's objection.

Commissioners then approved a set of so-called demand reduction strategies including free parking in city lots for carpoolers, subsidized regional transit, the use of shuttles in and around the city and Billig's idea of using Rio Park for off-site parking.

But after the commission approved the strategies, Jordan noted that one of them also called for creating "disincentives for single occupant automobile use."

"Why am I going to have to pay more to use my own auto in my own community?" he demanded.

Billig's proposal for a test of parking at Rio Park—graveling it to hold down the cost in case it doesn't work out—was quickly endorsed by most fellow commissioners, some of whom said they had been thinking the same thing.

"Rio Park is there. Why not park employees and buses?" said John Thodos, the newest appointee to the commission. "The shuttle would be charming. It would add to Carmel rather than subtract."

Hanna liked the idea, too, saying he would get out and "beat the drums" for it. But he predicted "there will be a helluva fight over that. Some people want to get rid of it.

"We do need to do something," Hanna said. "We need to demonstrate to the community we're serious about fixing the problem. We just study, study study things to death in Carmel."

The former Hodges property on the south side of Carmel southwest of the Carmel Mission was purchased in 1990 for $1.75 million. To help cope with the sharp drop in revenues last year, the City Council voted Jan. 19 to use the money it borrowed to buy the 6.5 acre site to pay down some of the remaining $1.55 million debt.

Retired Engineer Files For Supervisors' Race

Harrison Williams, 78, a retired engineer and bank chairman from Pebble Beach, became the first candidate to file for the supervisors' race in the new fifth district.

Without any formal press announcement, Williams simply went to the County Registrar's office Tuesday and paid his fees.

Contacted later by the *Sun*, he said he trained as a civil engineer, served in the Army Corps of Engineers and had been a general contractor. As for his candidacy, he said: "I don't need the money, I won't run for a second term and I won't sit on the fence on issues."

Explaining he had been chairman of the DeAnza Bank in Sunnyvale which was just sold, he said, "I've never been in politics, but you sit around and grumble about things and wish they could be changed. Well, now I've got the time."

Harrison, who said he had lived in Pebble Beach since 1978 and owned property there since 1959, said he favored the Hatton Canyon Freeway and expressed admiration for Caltrans as a professional organization. He also said he favored "careful" development of Rancho San Carlos.

SHERIFF'S LOG

RIO ROAD. A Carmel woman telephoned to complain that a woman sitting in a black Honda was throwing litter out the window onto the parking lot near the Bank of America. 3/22.

CARMEL HIGHLANDS. A woman who lives on Highway 1 across from the Highlands Inn said she found her front door open when she awakened in the morning; a deputy investigated and found nothing amiss. 3/22.

Marijuana Pipe Found

CARMEL. A man reported finding a pipe used for smoking marijuana and other paraphernalia on his property on Stewart Place. 3/22.

CARMEL RANCHO. An unsecured front door triggered a burglar alarm at Voila Restaurant, but nothing was found to be amiss. 3/22.

CARMEL. An open front door triggered an alarm at A residence on Carmelo, but nothing was found wrong. 3/22.

CARMEL RANCHO. A Illinois tourist reported her wallet was stolen from her purse while she shopped at Albertsons. 3/22.

Divers Rescued

CARMEL. Carmel Highlands firemen used a Zodiaz boat to rescue two divers who got in trouble off Stewart Beach. The men were from Carpenteria and Los Altos. 3/23.

SOUTH COAST. Multiple burglaries were reported during the night at the Kirk Creek Camp. 3/23.

SOUTH COAST. A Big Sur woman reported the passenger in a blue Chevy Camero stuck his bare rear end out the window at her while passing her on Highway 1 near Rocky Creek Bridge. She told deputies she suspected two Pacific Grove men, they were contacted, admitted the incident and were served complaint warrants. 3/23.

CARMEL RANCHO. A deputy on patrol found an unattended refrigerator outside Stanley Appliance and said he would seek a warrant from the district attorney under a state law prohibiting leaving appliances with air tight doors unattended in public places. 3/23.

Camera Gear Stolen

PALO COLORADO. A woman said her home in Palo Colorado Canyon was burglarized between 10/31 and 3/20 and $1,485 worth of camera equipment stolen. 3/24.

SOUTH COAST. A woman from Tucson said her car was burglarized while parked near Limekiln Creek. She said she lost a leather jacket and $60. 3/24.

CACHAGUA. An Oakland man said a building in Cachagua was burglarized on 3/20 and tools and household goods were taken. 3/24.

Tree Stolen for Firewood

EAST VALLEY. A man who lives in Asoleado said someone climbed the fence into Hastings Reserve some time between 3/20 and 3/24, cut down a tree and stole more than a cord of firewood. Reserve officials said the theft of trees was endangering scientific studies of woodpeckers, some of which had been scrutinized for as long as 18 years. Other tree thefts have been reported from ranches in the region. 3/24.

BIG SUR. A Redondo Beach man said his car was burglarized and his wallet taken while the vehicle was parked for three days at Pfeiffer State Park. 3/24.

PALO COLORADO. A resident reported a burglary in which $3,100 worth of stereo equipment was taken from a home. 3/24.

CARMEL. A Carmel man spit at a deputy when he was pulled over and subsequently turned over to the CHP for DUI, the arresting deputy said. 3/24.

Baseball Cards Shoplifted

RIO ROAD. The manager at Longs Drugs reported he had a Spreckels man in custody on charges of attempting to shoplift 17 packets of baseball cards. 3/24.

CARMEL HIGHLANDS. A man telephoned that someone was trying to get into his house on Corona Way; an investigating deputy found a raccoon scratching at the door. 3/24.

VALLEY. The principal at Carmel Middle School reported the theft of $200 from a student's locker. A girl at the school was arrested and lodged in juvenile hall. A deputy said she had been missing from her home for nearly a week. 3/25.

Jar of Marijuana Found

SOUTH COAST. A 21-year-old San Luis Obispo man was arrested after a deputy directing traffic during the filming of a car commercial on Old Coast Road noticed a jar of marijuana in his car when he stopped. 3/25.

CARMEL RANCHO. A spokesman for the South Carmel Rancho Property Owners reported four 24X18 steel signs had been stolen from a parking lot near Clock Tower Place over the past several weeks. The green signs prohibited overnight parking, he said. 3/25.

VALLEY. A woman from Santa Rosa reported someone broke into her cabin at White Rock some time between November and January, using her phone, bed, food and firewood. 3/26.

CARMEL. A woman said her Alpine stereo, a cd player and speakers were stolen during the night from her Audi while it was parked near her home on Valle Vista. She set the loss at $1,400. 3/26.

CACHAGUA. A man who lives at Jensen's Camp said his fence was damaged during the night. 3/27.

Small Fire Quelled

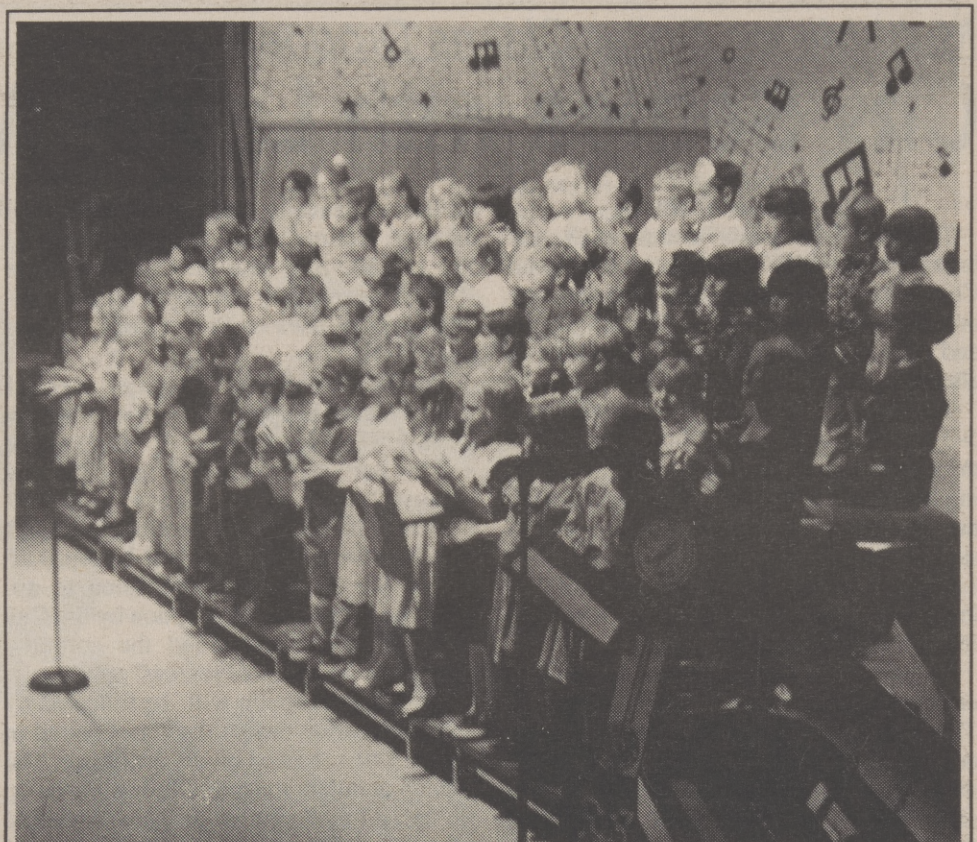
VALLEY. A woman who lives on Miramonte called to report a neighboring house on fire. The Carmel Valley Volunteer Fire Department quickly extinguished a small roof blaze. 3/27.

CARMEL. A woman who lives on Lazarro reported an elderly man, seeming to be disoriented, tried to get in her car when she stopped at Lazarro and Atherton. She suggested it might have been an Alzheimer's patient who wandered away a week ago. 3/27.

CACHAGUA. A man who lives on Cachagua Road said he was attacked by another man and cut with a bottle. 3/27.

CACHAGUA. Two bail enforcement agents and a deputy said a man displayed a gun when they went to Jensen's Camp searching for a woman who jumped bail. During the incident, the deputy said the woman jumped over a fence clutching her baby in her arms. The man with the pistol said he simply saw three men chasing the woman. The deputy said he took the pistol and "placed it in evidence for safekeeping for a few days." 3/28.

VILLAGE. A woman reported a problem with a neighbor's dog, saying it was always in her yard on Paso Hondo, digging holes and hanging around. 3/28.



TULARCITOS KINDERGARTENERS charmed parents and friends with their version of "Mother Goose Rap" during the annual spring music program. It was held in the Multi-Purpose room March 24. *Sun photo by Steve Davis*

Laborers' Center to be Discussed April 9

A second town hall meeting will be held April 9 on a proposal to establish a job referral center in Carmel Valley Village to serve day laborers, and a Labor Department official will discuss the legal implications of the plan.

Randy Randazzo, local grocer and chairman of the residents group seeking to create the center to provide toilet and canteen facilities for the workers, said Frank Konti of the San Francisco office of the Labor Department's wage and hour division would appear.

"We hope people will turn out and express their views," Randazzo said. "We hope we can get community support to go ahead with the plan."

At an initial town hall meeting on Feb. 17, some residents expressed reservations about having the center place all workers, legal and illegal.

Konti was invited to the followup meeting at 7 p.m. at the Community Center to discuss legal requirements affecting the proposed center, laborers and employers using them. Randazzo said Konti is a 32-year veteran with the Labor Department.

Randazzo said committee members would meet at 4 p.m. at Valley Lodge in advance of the town hall session.

Merchants Complain of Young Shoplifters

Merchants report bands of young shoplifters often work Carmel Valley Village, sometimes seeming to steal just as a lark.

Bonnie Lynch, owner of the Ahoy There toy store, said three boys who looked like they were probably middle school age shoplifted $91.36 worth of merchandise from her store on March 13 and 21.

Among the items she listed as missing were 21 boxes of stink bombs, two cans of an intentionally foul smelling spray, whoopee cushions, an aerosol can of silly string, a red handled knife, and three bottles of disappearing ink.

Lynch said she believed the boys came to the Village on the bus because she heard them talking about needing a dollar for bus fare. She said boat paddles were left by the boys at her shop, and now displays them her window along with an explanation that they belong to three boys who shoplifted in her store. Lynch said she grabbed one boy as he left her shop, but he pulled away from her.

Other merchants reporting they, too, are having problems with children shoplifting included Randy Randazzo at Carmel Valley Market and Mahesh Patel at the Village Market. Both said children who come in after school have taken merchandise.

"We find food wrappers in the store," Randazzo said. He said they eat or drink what they take while in the store and then may hide the wrappers behind canned goods. Randazzo said it happens a few times a week, and he has instructed his employees to keep a close watch on the children.

"We don't let them come in in groups, and we make them leave their book bags outside," he said.

Lynch said she did not report the latest incident at her store to the sheriff but if she sees the boys in the Village again, she will call and report them. "I will call the sheriff no matter where I see their faces," she said.

She said she usually handles shoplifting by children on her own although sometimes she calls parents. "Most of the children wouldn't dream of taking anything," she said. "But there are a few who spoil it for everyone."

When the three boys stole from her store, one kept her attention while the others put things under bulky sweatshirts and then left, she said. "They are bold and have a system," she said.

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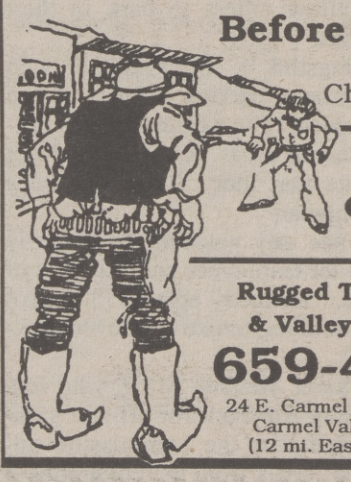
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Carmel T-Shirt Shop Move Vetoed; Commission Finds "Intensification"

By Stan Hall

In the glare of debate over a zoning ordinance which opponents claim would allow more T-shirt stores in Carmel, the Planning Commission rejected an application for one T-shirt shop to take over a larger one on Ocean Avenue.

Although one T-shirt shop would have replaced two, commissioners voted 6-1 against the plan, saying it would allow an intensification in sales of such apparel which appeals to tourists.

The commission barred the Mainland Company, Inc., of Tustin from moving its Crazy Shirts shop into the location formerly operated by the Strawberry Patch. Commissioner Carl Livingston cast the dissenting vote.

During the hearing, various witnesses and commissioners characterized Ocean Avenue as the "premier shopping street in Central California," arguing more T-shirt sales were not justified there. Both shops are on the north side of Ocean between Mission and San Carlos.

Commissioner Melanie Billig summed up the consensus view of the commission when she said: "I'm not fond of T-shirt shops. And it looks like there's this whole block of them in such a key location."

The planning staff, which recommended approval of the application, said consolidation of the two shops into one at the Strawberry Patch location would allow a greater percentage of merchandise to be so-called place-name apparel—such as T-shirts or sweat shirts imprinted with Carmel or Pebble Beach names.

The Strawberry Patch location contains 1,650 square feet, while the Crazy Shirts store was comprised of 1,122 square feet. The move also would provide for a window space of 25 feet on Ocean displaying T-shirts and similar clothing compared to 17 feet presently.

"As proposed, the applicant would increase the display of T-shirts from 18 percent to 40 percent if the use permit is approved," the planning staff said. "In addition, the percentage mix of merchandise bearing local place names would also increase from 35 percent to 90 percent if Crazy Shirts is permitted to replace the Strawberry Patch."

Al Eisner, former owner of the *Carmel Pine Cone* and a leader of the fight against the rezoning ordinance, appeared to oppose the permit. "Do you want a 50 percent increase on Ocean Avenue devoted to T-shirts? " he asked the commission.

Jodie LeTowt, saying he was the landlord for Mainland, argued there would be no intensification of use. He said the same mixture of merchandise would be sold from the Strawberry Patch location, only in higher quality merchandise.

Similarly, Toni Jepson, executive director of the Carmel Business Association, argued that Mainland would offer higher quality merchandise. "We should be glad to have Mainland in town," she said.

Chairman Jack Kennedy said he felt the application put the commission "between a rock and a hard place. I don't want a larger T-shirt shop, but if we leave it the way it is, we will have two stores."

Mainland said it would not sell T-shirts from the original Strawberry Patch location if the move were permitted, and commissioners discussed imposing stringent conditions against a new T-shirt shop going into the location.

Livingston moved that the permit be issued on the condition that any new lease would prohibit a new T-shirt operation. His motion died for lack of a second.

John Thodos, an architect just appointed to the commission, said the proposal amounted to "silent intensification. It's accumulative. We can't be seduced by that."

Commissioner Lindsay Hanna then moved to deny the permit, saying, "It is intensification in that precious block between Mission and San Carlos.

The operators of a store located between the Strawberry Patch and Crazy Shirts, the Fashion Store, appeared to oppose the move. Anthony Lucido claimed Mainland was "using Carmel as a dumping grounds for excess production.

"All merchants take a bad rap...," he said. "People are upset with the amount of T-shirts that are sold.

His partner, Bob Frazier, said, "Big business can come in and get carte blanche, and the little guys have to pick up scraps on the street."

He said approval of the permit would give Crazy Shirts three locations in Carmel.

Frazier, a black, tried to tell the commission about a federal discrimination suit he had filed and his business being forced into bankruptcy. "We totally lost our business," he said. "Crazy Shirts caused us to have to cancel out sweatshirts."

Kennedy and then City Attorney Don Freeman admonished Frazier to discuss only the application, and Kennedy refused to allow him to display a stack of T-shirts he had brought.

Noting that the city had laid off its code enforcer last year, Eisner suggested that Frazier and Lucido were operating a T-shirt shop, too. "It looks to me like a T-shirt shop," he said.

Frazier added, "There's total saturation by Crazy Shirts in this town already. They have three stores. Have you guys been doing your homework?"

A department spokesperson said later the third shop that carries Crazy Shirts was Laub's Country Store at Ocean and San Carlos.

Key Member Predicts TAMC Can Find Freeway Alternative In Time

By Carolyn Rice

A key member of the Transportation Agency of Monterey County (TAMC) predicted it will be possible to have an alternative to the Hatton Canyon Freeway in place by December so the county will not lose funds set aside for it.

"It's kind of mind boggling to me that we can't design something that will have minimum impact on the environment," said Anna Caballero, a Salinas councilwoman.

Caballero's thinking on the subject carries clout because she has 305 votes out of 1,000 in TAMC's weighted balloting, which is based on the population of the area each of the 17 members represent. Agency decisions must be approved by a majority of the representatives and also by a majority of the weighted vote.

At its March 24 meeting, TAMC voted to keep the Hatton Canyon Freeway as its No. 1 priority but at the same time directed county officials to work with Caltrans on an alternative solution to traffic congestion on Highway 1 near Carmel.

A key vote on a motion to make an alternative project TAMC's top priority failed on an 8-8 tie. Supervisors Sam Karas, Karin Strasser Kauffman, Barbara Shipnuck and Judy Pennycook all voted for it. Supervisor Tom Perkins was opposed.

Of the 12 cities represented on the agency, Salinas, Monterey, Pacific Grove and Carmel all voted in favor of an alternative project, but the weighted vote never came into play because the simple majority vote failed.

After the 8-8 tie, members voted 14-2 to keep the freeway as top priority, but also to try to develop an alternative to it.

Executive Director Gerald Gromko said the TAMC staff is trying to come up with a proposal and will try to meet with Caltrans soon to see if there is an action plan which could lead to an alternative.

A number of TAMC representatives said they did not favor the proposed 2.8 mile freeway but voted to keep it in place as a priority project to try to safeguard the $42 million state and federal funds set aside for it. Several said they thought the freeway could be blocked for years by a lawsuit on the adequacy of the environamental impact report which has been filed by Carmel, the Monterey Peninsula Regional Park District, the Sierra Club's Ventana Chapter and the Hatton Canyon Coalition and the difficulty in obtaining a 404 wetlands permit from the Army Corps of Engineers.

When asked if four-laning Highway 1 also might not prompt lawsuits from property owners which could hold up an alternative project, Caballero said: "My understanding is some plans take no structures (homes). If you take structures, you will be dealing with lawsuits." But she said if lawsuits were filed, the eminent domain process in which government can take property for public good could happen rather quickly. "It absolutely won't hold things up for a long period of time," she said. Eminent domain cases are given priority in court, she said.

Caballero said if the agency can not come up with an alternative, it still has the option of returning to the Hatton Canyon Freeway project. "I don't want to lose money," she said. But she also said she was hesitant to vote for a freeway. "Once you put in a freeway, that's it. It's there for life."

She suggested the best alternative is to reduce the number of cars using the area with carpooling and public transit. "We need other solutions rather than a freeway. The real issue is cars," she said. "If you don't want a freeway, you need to look aggressively for other solutions."

CORRECTION

An advertisement for The Bully III English Pub & Restaurant on March 18 incorrectly listed a selection of daily chef's specials as a "$4.95 Meal Deal." The correct price should have been "$5.95 Meal Deal." *The Sun* apologizes for any inconvenience the error may have caused.

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The Board of Directors of the Monterey Peninsula Water Management District will conduct study sessions to provide information to the public on the **Supplemental Draft EIR/EIS II onthe Long-Term Water Supply Project.**
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Please contact the District office at 408-649-4866

Farina Makes Movie an Issue

Continued from front page

fund" for his work in the film. He said he gave the scholarship, named for his father, to the National Association for the Advancement of Colored People (NAACP).

"It wasn't the renumeration that is the issue," Farina said. "It was the relationship that had been established. There are certain ways to conduct yourself, and Sam has gotten himself into an uncomfortable situation with the movie, and it will hurt him."

Eastwood is a major property owner in the fifth district and just recently began the approval process for a service center and 44 home sites for his proposed Cañada Woods project near Valley Hills. Farina cited Cañada Woods as one of the issues that will face the new supervisor, but noted that Eastwood "has property throughout the county."

Farina also challenged Karas' credentials as an environmentalist, saying in her announcement statement that "the fifth district must be represented by a strong environmentalist. After her news conference, the *Sun* asked Farina how she and Karas differ on the environment.

"If you'll look at his voting record, you will see times when he was not the voice we would hope for. He has a different philosophy—he's worried about jobs and the underprivileged," she said.

She cited Karas' vote for approval of a 15-story hotel on the beach in Seaside, his recent affirmative vote when the supervisors approved a Fort Ord reuse plan calling for construction of hotels and a golf course and his former support for the proposed Hatton Canyon Freeway.

"I was working with the (Hatton Canyon) Coalition well before any of the five supervisors got the answer right on the freeway," she said.

She also cited her experience as a director of the Monterey Peninsula Water Management District, saying proposed development on 20,000-acre Rancho San Carlos could adversely affect the water supply for the peninsula.

Karas strongly defended his record on the environment, saying "I'm going to prove Fran wrong on this issue. I was involved in protecting the environment long before she ever thought about coming to the Monterey Peninsula. I stuck my neck out a long time before these causes were popular."

He cited his "one-man" opposition in 1973 to plans to build a motor mall for new car dealers, a major shopping center and 5,000 homes along Highway 68. "I was just a neophyte then."

He said he had voted for a 15 story hotel in Seaside which subsequently was upset, but explained, "The community was divided. This brought it together. That area needs economic revitalization. I'm willing to consider anything that will keep the kids off the street corners selling drugs."

On the question of the Fort Ord reuse plan, he said he did vote for it, but only after expressing concern over some of the plans that he said must be addressed before it becomes final. "No, I don't want hotels and golf courses built out there in those dunes," he said.

A group of supporters joined Farina for her announcement, including Margaret Owings of Big Sur who will serve as her honorary campaign chair and a number of members of the Carmel Residents Association (CRA).

Many CRA members are in the forefront of a fight to upset a new zoning ordinance which they claim will allow more tourist-serving businesses like T-shirt and souvenir shops to operate in Carmel. In part, the rezoning grew out of Eastwood's inability to rent a new building he constructed on San Carlos adjacent to his Hog's Breath Inn.

Karas, who lost his seat in the fourth district in the remapping after the 1990 census, defended his relationship with Eastwood apart from taking the role in the award winning film where he played a grizzled old character named Thirsty Thurston.

"Eastwood is an honorable gentleman," Karas said, "and we never—never, ever—have talked about any of his projects."

Farina, who moved to the peninsula from Florida seven years ago, is an attorney, but does not practice in California. As she has before, she praised Supervisor Karin Strasser Kauffman who decided not to seek election to a third term.

FORMER CARMEL MAYOR CLINT EASTWOOD, whose film career spans 39 years, won Hollywood's top honors Monday for his unconventional western, "Unforgiven." The 62-year-old actor/director won Oscars for best film and best director for the movie in which he plays a former killer turned pig-farmer. Co-star Gene Hackman, shown with Eastwood in the photo, won an Oscar for best supporting actor. Eastwood, who explained the film really was anti-violence, said earlier he had had to talk Hackman into the role because the actor told him he was opposed to appearing in any more violent films. Joel Cox also won an Oscar for editing "Unforgiven," giving the picture a total of four awards. Candidate Fran Farina says incumbent Sam Karas' bit part in the movie will be a campaign issue in the Fifth Supervisorial District election June 8.

Farina said she had worked closely with Strasser Kauffman, especially on the environment, and "I am well prepared on the issues."

She also argued that as a relative newcomer, she has not had time to build up alliances with "business and commercial interests."

Food Drive Set

The Rotary Clubs of Monterey, Santa Cruz and San Benito counties will conduct their "Care Enough to Share" food drive April 4-11 to try to restock food banks with 200,000 pounds of non-perishable items.

Approximately 160,000 grocery bags will be distributed during the drive which encourages residents to fill those bags or any others with food and drop it off at fire or police stations to help feed some 70,000 people monthly.

Farina Foresees Steep Water District Staff Cuts

Director Fran Farina said she expects the water management district to have to cut its staff by as much as 40 percent in the next fiscal year because of budget constraints.

She made the prediction in formally announcing her candidacy for the fifth district supervisors' post June 8. She cited her experience as a member and now chair of the district's administrative committee as equipping her to deal with budget shortfalls.

"At our mid-year budget adjustment, we reduced staff by 17 percent," she said. "In the next fiscal year, we may have to cut staff by as much as 40 percent."

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Carmel School Bells Will Ring Early

The Carmel Unified School District Board voted unanimously to open school earlier than usual next fall on Aug. 24 in order to add more vacation weeks to the 1993-94 school year. The board met last Thursday at Captain Cooper School in Big Sur for a regularly scheduled meeting.

The Carmel teachers had negotiated the new schedule as part of their contract and the board's motion just served to put its stamp of approval on the plan.

Board member Gary Gray said he had received some questions on the plan. The schedule will shorten summer vacations, he noted. Both faculty members and students will have more difficulty taking summer courses, he said, asking, "Is it just for change for change's sake?"

In recent years school has typically opened just before or right after Labor Day. Assistant Superintendent Rosemary Montgomery said in past years an agriculturally-oriented society dictated the traditional school calendar, as students were needed at home during the summer to work. Since this society no longer exists, the schools are no longer bound by the traditional calendar, she said.

Under the new schedule, teachers and students will have a week off in October, February, and April and two weeks in December.

Other vacation times include two days for Veteran's Day and two days for Thanksgiving in November, a day for the Martin Luther King holiday in January and an extra Monday in February following the week off. Montgomery said the teachers had voted by more than a 2-1 margin in favor of the new schedule last fall.

Montgomery said Carmel Valley High School has a similar schedule and teachers and students have "just loved it. It refreshes the kids. It refreshes the teachers." Also, with shorter breaks the students retain more and do not have to relearn so much information, she said.

One Captain Cooper parent said she has had strong feedback about the October week off. "'Who thought up this?'" she said people had asked her.

Captain Cooper parents said they do not have the same access to child care with after school recreation programs such as are available at Tularcitos and River Schools.

One Captain Cooper parent said the rest of the district may want the extra two weeks but "we need the time for studies." She said there are too many subjects which teachers do not have enough time to teach now. She asked if Captain Cooper could schedule special sessions during the October and February weeks that the rest of the district will have off. "If the rest of the district wants it off, fine. But we need the time," she said.

The 180 days of teaching time under the plan remain unchanged from prior years.

Board member Daniel Hightower said he was afraid parents wouldn't have information about the new schedule and it will come as a surprise to them next fall when the students have a week off in October.

Baldwin read a letter from a school employee which said the new schedule could have ramifications for students who take Regional Occupational Program courses in cooperation with other schools and for special needs students who are bussed to other schools.

In other business, Superintendent Vance Baldwin said he had received several complaints from people who objected to high school students being excused from school to testify at the Transportation Agency for Monterey County (TAMC) hearings on the Hatton Canyon Freeway. The callers expressed a concern that the students should not be out of school, he said Some had also complained about the letters written to newspapers by classes, he said.

The school encourages students to get involved in the governmental process, Baldwin said, and parents have to okay student's absences to attend the hearings. Baldwin said the school's classroom policy is to inform the students about all sides of an issue and he had faith instructors were doing that.

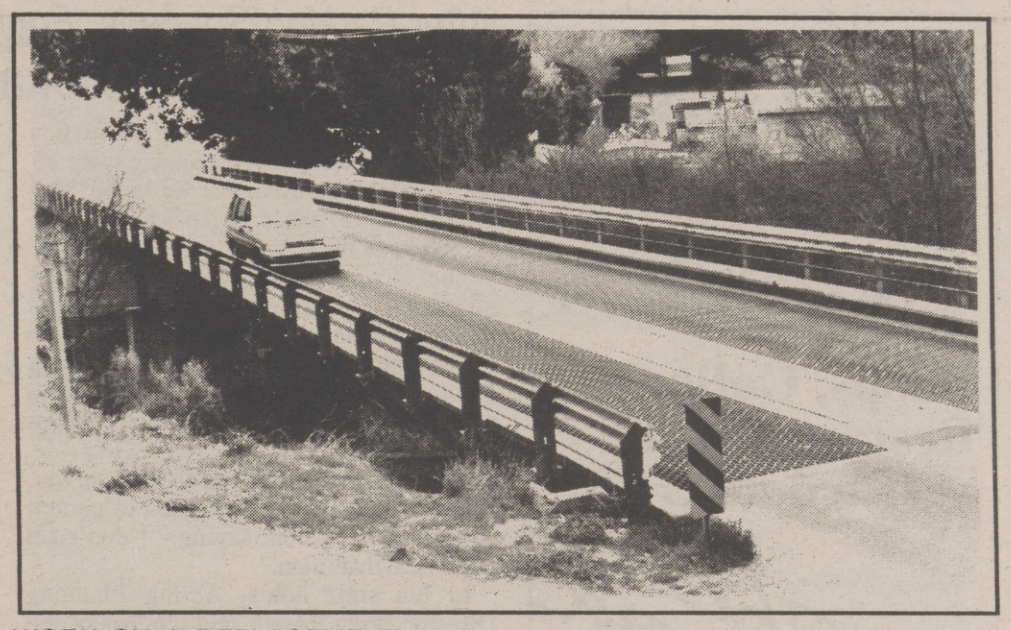
In other business Baldwin noted $2,059 had been spent on an engineering study at Carmel High School and work would begin soon on the parking lot to add 32 more spaces and widen traffic lanes. He also said changes would be made so the entrance near the drama room would become the main entrance to the high school. High school representatives to the board have complained for the past several years about the inadequate parking area at the school.

Montgomery reported to the board on charter schools, a new process set up by the state legislature Jan. 1 in which public funds could be expended for schools run under a charter rather than the extensive state education codes.

Montgomery said the charter schools could be freed up to create a new educational programs but a lot of questions remain to be answered about the process. "It sounds wonderful in a lot of ways," she said. "But if you look at it, it's complicated."

Scholarship Available

Mid Carmel Valley Fire Department is accepting applications for a $500 scholarship for graduating high school students who will begin full-time college studies this fall.



WORK ON A REPLACEMENT for Rosie's Bridge in Carmel Valley Village is scheduled to begin in May. Seeking bids, the county accelerated the project following accidents in which children on bicycles have been injured.

Money Found for Speed-Up

Rosie's Bridge Replacement Set to Start

Under pressure from residents concerned about safety, county supervisors voted unanimously Tuesday to speed up replacement of Rosie's Bridge on Esquiline Road in Carmel Valley Village, seeking bids for construction which could be completed by November.

Director Gerald Gromko of the Public Works Department said he has been assured of $260,000 in federal funds and $200,000 in state funds to get the project started in this fiscal year. He said the county had put a lot of effort in bringing the project on line this summer rather than next year as originally planned.

The total cost is estimated at $2.2 million, 76 percent of which will come from the federal government and the remainder from the county. Construction could begin in May and must be done during the normally dry months.

Before the 5-0 vote, Supervisor Barbara Shipnuck said she wanted the money in the county's hands before the project was started. "I, for one, feel we don't have any more money in the (county) budget," she said. Gromko said as far as he was concerned the money was in hand.

He also said a temporary wooden plank crossing would be built which would allow pedestrians and bicyclists to cross the river while the new, concrete bridge was being constructed.

Supervisors urged Gromko to find a way to accelerate the bridge replacement last year following two accidents involving children who fell when riding their bicycles across the bridge.

Constructed in 1946, it has a metal grating surface which is especially slippery when wet, making crossing by pedestrians or bicyclists difficult. It is also narrow, leaving little room for pedestrians or cyclists.

The county began planning to replace the bridge in 1986, but was delayed by environmental concerns and litigation by residents who wanted to preserve the historic structure and who objected to the design of the new bridge.

A compromise design has been worked out which includes making the structure look more rustic and incorporating a walkway for pedestrians, cyclists and horses.

Highway 1 to be Paved

Caltrans notified Carmel that Highway 1 will be repaved between Carmel Valley Road and Carpenter Street some time after April 20. The work is expected to take about two days and will be performed during the evening hours.

Officials said Caltrans was coordinating work with the city to control the detouring of traffic through town and to minimize noise impacts after 10 p.m. Caltrans will pave Highway 68 between Highway 1 and Pacific Grove at the same time.

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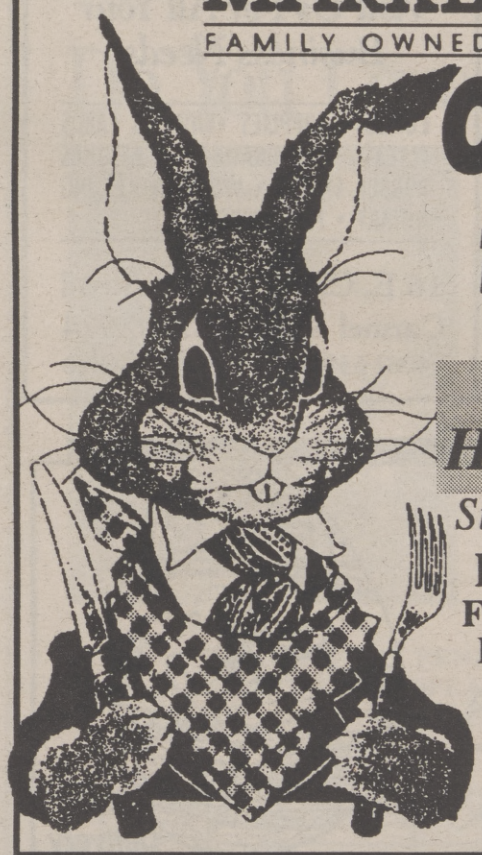
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After Parking Space Is "Found"

Foundation Wins Okay to Expand Kitchen

The Carmel Foundation won permission to expand its kitchen into a garage space after Planning Commissioner Ed Jordan suggested a way to pick up a replacement parking space on the street.

The Commission on March 24 unanimously approved the foundation's request for an updated use permit, with Commissioner Lindsay Hanna standing down after explaining that he was a volunteer driver for the foundation and was "too prejudiced."

Chairman Jack Kennedy said he, too, was a member, but he intended to participate in the decision, saying, "I don't get over there that often."

In his staff notes, Acting Planning Director Brian Roseth said the loss of the space in the garage would leave the foundation with just 13 parking places, while the city code required 16 for its size.

Roseth had recommended that as a condition for approval, the foundation be required to take out a driveway leading to the property from 8th.

But Executive Director John Freitas argued in favor of keeping the driveway, although he said, "We are acutely aware of the parking shortage."

He noted that the foundation "operates two vehicles which are on the road constantly" driving its 4,000 members to various functions and also had volunteers who delivered meals to home-bound members.

"It's always been so practical to have that space," he said.

Jodie LeTowt, a businessman and property owner, supported Freitas' appeal to keep the driveway, saying it avoided double parking. "This far exceeds the benefit of gaining one space."

But Jordan then told his colleagues that he had personally measured the spaces near the drive and found them to be over-sized. He suggested remarking them and making one space on the corner a green 20-minute space.

That would give volunteer drivers and others a chance to park briefly for pickups, he said. At the same time, he suggested there would be enough room to leave a narrow, three-foot lane to the street which could be used for pickups and deliveries.

Jordan Named Vice Chairman of Carmel Planning Commission

Ed Jordan, former chairman and CEO of Conrail, was named vice chairman of the Carmel Planning Commission March 31 succeeding Brian Congleton.

Jordan, who was appointed to the commission for a four-year term by former Mayor Jean Grace in September, 1991, was the senior member when Congleton resigned. Congleton quit to devote time to his architectural business.

Since moving to Carmel about four years ago, Jordan has been active with the Carmel Public Library Foundation, which he chairs this year, the Hatton Canyon Coalition and the Monterey Institute of International Studies and served on the 2016 Commttee.

After leaving Conrail in 1980, he became dean of the Graduate School of Business and Public Administration at Cornell and president of the American College at Bryn Mawr, Pa.

Woman's Club to Meet

Dr. Richard Kezirian, head of the history department at MPC, will speak on "The Endearing Legacy of Colonial America" at the Carmel Woman's Club at 2 p.m. Monday at the clubhouse in Carmel. Nonmembers are welcome and should call 659-5027.

Council Will Look At Nominations Process Again

After being back and forth on the issue of public interviews for planning commissioner applicants, Mayor Ken White will ask the City Council next Tuesday to reexamine the process he authored during a prolonged battle with his predecessor in 1991.

White sponsored the ordinance stripping former Mayor Jean Grace of the traditional authority to nominate planning commissioners subject to the approval of the full council after the three-member majority consistently defeated her nominees in a power struggle. Under the existing ordinance, all nominees are subject to a public interview by the council after which the mayor nominates and the council approves.

White told the *Sun* that Councilman Bob Fischer "talked to me about it. My interest is to have a council discussion on how they like the interview process. I'm the one that put it in motion."

Although White said he thought the last two interviews of Planning Commission applicants "went very well, I'm getting some indication that some people don't want to go through the process."

He was ambivalent about the process, however. "If a person is going to be appointed to the Planning Commission and be sworn in and step right into the arena, then a simple interview is not asking too much," White said. "But, if we don't have good people stepping forward; then we need to look at that. I'm worried that we don't have a pool of people who are interested."

Before the present ordinance was passed, former councilman Jim Wright proposed that the authority to make nominations to all city boards and commissions be split among all five members of the council. It was defeated when White joined Grace and her ally, Fischer, in a 3-2 vote.

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Lava Flow Uncovered by the River

Continued from front page

county's actions. "We made the right decision at the right time," he told the *Sun*. "We were monitoring the situation closely. There was no imminent danger to the road at any time. The only situation was with the cypress, and I feel sure it will be okay. The main root is still intact."

Joe Oliver, senior hydrologist with the water management district, credited the discovery of the basalt outcropping to "just one of those flukes. But it will be cause for revising geologic maps in this area."

The outcropping, Oliver added, had been "written up by a geologist 100 years ago—in 1893. But no present-day geologists had ever seen it" since it was covered with sand for so many years.

"I'm excited we found it," Oliver told the *Sun*. "It was just a little window of opportunity created after the river moved north and then was shut off."

Both he and Kingsley said geologists previously thought that the basalt existed only east of the Cypress fault, named for the Cypress Point Golf Course at Pebble Beach. The fault is now thought to run from around the mouth of the Carmel River, through Carmel and Pebble Beach to the golf club and then out to sea.

"The east side of the fault was the only place where the basalt was known to exist." Oliver said. "It was thought that the outcropping occurred only on the east side of the fault, or the down-thrown (lower) side. This is the first time it's ever been seen on the west."

Geologists formerly thought that the Cypress fault was a single fault, he said. "Now, we're going to have to rethink it. It may be more complicated. There may be splinter faults off the main fault. There may not be just one slip-plane or shear zone, but several in close proximity."

Among those on hand to examine the outcropping Friday were Oliver, Kingsley and Dr. Joseph Clark, a professor at Indiana University in Pennsylvania and consultant to the U. S. Geological Survey who drew geological maps of the fault zones in the area in 1973. He just happened to be in town.

Kingsley said the group kidded Clark that he would now have to revise his maps. "There's nothing like a little extra data to shift things around," Kingsley told the *Sun*.

Kingsley and Oliver both estimated the age of the outcropping at around 27 million years. Kingsley said the outcropping originally was mapped in 1893 by geologist Andrew Lawson, "but nobody could ever find it."

He said the fault now was assumed to run from near the parking lot at Carmel River State Beach, through the area of the Frank Lloyd Wright house on Scenic in Carmel, across Pescadero Point and then to Cypress Point Golf Course. He said it was assumed that the fault then extended out into the ocean. He added that Clark had looked for evidence of it south of the river on the Fish Ranch, but never found any sign of it.

He also suggested that the discovery of the outcropping raised new questions about whether an underground rock ledge runs across the mouth of the river at the beach. If it does, he added, it could be an effective barrier to seawater intrusion and might allow more water to be pumped from the lower Carmel River aquifer without risking salt water contamination.

"You could pump a lot more water without sea water intrusion," he speculated. He said the theory was that the stone ridge blocked off underflow from the river into the sea. Saying it was only "guesswork," he said the opening at the mouth of the river might not be more than 80 feet deep and 150 feet wide.

"Even in dryer years, you still have underflow," he said.

Gromko said he had personally gone to the beach both Saturday and Sunday to check on the dam across the river's former northern course. "It's holding well," he said.

He said crews decided to open the new channel to the south not only because of continued erosion of the bank along Scenic but also because the northerly flow allowed water to build up periodically in the lagoon.

He said his department received permission to cut the new channel from four agencies—the Army Corps of Engineers, State Parks Department, State Fish & Game and the Coastal Commission—"when it became apparent nature was not going to close that up and provide a more direct outfall."

A SAND DAM blocks the Carmel River from a northerly course that eroded a bank close to Scenic, uncovering a 27-million year old outcropping of basalt and some of the root system on a mature cypress tree. Workmen built the dam and bulldozed a new channel from the lagoon to the ocean to the south to get the river away from the bank. *Sun photo by Stan Hall*

Meantime, Karl Harris of Carmel said he uncovered eight additional Indian bedrock mortars on Carmel State River Beach about 20 yards south of the stairs which go down to the beach from Scenic.

A photographer, Harris said he had gone to the beach to photograph the 20 mortars which were discovered earlier after being unearthed by the river. Harris said he felt depressions in the rocks when he walked over them and started digging. "I about wore the skin off my fingers digging," he said.

The mortars were very symmetrical and ranged from two feet to three feet in diameter, he said. "It's really exciting to think you've found something which may have been covered up for 1,000 years," he said.

Carmelites Are Invited to Meet Kersnar

Mayor Ken White and the Carmel City Council invited the community to a reception April 9 to meet Jere Kersnar, the new city administrator who officially starts work Monday.

The reception will be held on the Terrace at Sunset Center from 4 to 6 p.m. A charge of $5 per person will be collected at the door or can be paid in advance to the city.

Asked why the city was charging for the event, White said, "We don't have any money. This was the only way we could think to do this on the quick." He said hors d'oeuvres, wine and soft drinks would be served.

Kersnar was assistant manager in Cathedral City in the Palm Springs area before being hired for the top Carmel position.

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Committee Begins School Facilities Studies

Moving River School students to a new school near Carmel Middle and selling surplus property are two ideas a newly formed, broad-based committee will examine during six meetings on school facilities.

Superintendent Vance Baldwin told the first meeting of the 50-member committee that he dreams that Carmel will one day be as proud of its facilities as it currently is of the staff and students. "Right now we have the band aid approach," he said.

The committee gathered at Carmel Middle School Monday where the Baldwin and school principals outlined facility needs at each school. The committee is comprised of teachers, parents, administrators and residents.

A consultant from Ventura, Robert Corley, said he planned to visit the school sites and submit a proposal to the board to retain him to help plan for the district. "Inevitably this district will spend quite a bit of money on fix-up," he said. "The question is how to spend it wisely and maximize the return."

Baldwin said in 1988/89 the district estimated refurbishing of all the district schools would cost $3.5 million. "It will probably cost more now," he told the *Sun*. The refurbishing list runs the gamut from lighting, roofing, painting, paving and heating.

Principals from Captain Cooper, River and Tularcitos elementary schools all said their classes are packed to capacity, and their primary need is more room. High School Principal Marie Ishida said she has adequate classroom space but the school needs refurbishing, a lower priority than the need for extra space at elementary schools.

Outlining the need for roof repair, Ishida said, "It wasn't too bad until this year when we had all the rain and realized how much they do leak."

Principal Karl Pallastrini of Carmel Middle School said his school has enough classroom space but the gym floor needs replaced, the play fields redone and drainage problems fixed. Most of the Middle School needs "are just the kind of thing you get with 30 years of use," he said. Middle School is the newest school in the district.

Baldwin said Middle School is served by a septic tank. "We came very close to shutting down this year because of flooding which affected the septic tank," he said.

Principal Blake Fuessenich of Carmel Valley High School said the two portable classrooms which house his school have been in use since 1975. "Their time is about due," he said. They can probably can be used for five more years but need carpeting and roofing, he said.

Some possibilities the committee will consider to solve space needs include:

- selling River School and building a new elementary school on district property near Carmel Middle School.
- creating a kindergarten center at Carmelo and relocating the child care and after school programs.
- using Carmelo as a kindergarten through fifth grade school.
- moving fifth graders into Carmel Middle School.
- moving eighth graders to Carmel High School.
- morning and afternoon kindergarten programs.

The committee will meet April 13, 26, May 11, 24 and June 15 if needed and report back to the school board June 24.

Baldwin outlined three options for fixing up its aging schools— use general fund money to the degree possible, participate in a state deferred maintenance program or seek an alternate funding source such as a bond or parcel tax.

The district has tried three times to pass a parcel tax but failed to get the needed two-thirds vote. Baldwin said proposed legislation would lower the requirement to a 50 percent majority, and a parcel tax might then become more of a possibility.

Baldwin also noted the school district owns three undeveloped school sites. Given the economic climate and land use restrictions, the sites probably can not play a major role in addressing current concerns, he said.

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Text of Carmel-by-the-Sea's Zoning Ordinance

CITY OF CARMEL-BY-THE-SEA
CITY COUNCIL
ORDINANCE NO. 92-23

AN ORDINANCE AMENDING TITLE 17 OF THE MUNICIPAL CODE PERTAINING TO COMMERCIAL ZONING REGULATIONS

WHEREAS, the Planning Commission did hold public meetings on proposed amendments to the Land Use Code on 20 March 1991, 17 April 1991, 22 May 1991, 17 July 1991, 24 July 1991, 2 October 1991, 11 November 1991, 13 November 1991, 18 March 1992, and 10 June 1992; and

WHEREAS, the Planning Commission conducted duly noticed public hearings on proposed amendments to the Land Use Code on 5 August 1992 and 26 August 1992; and

WHEREAS the Planning Commission reviewed an Initial Study and determined that although the project could have an effect on the environment there would not be significant effects because of the mitigation measures identified in the Initial Study; and

WHEREAS, the Planning Commission adopted Resolution No. 92-44, a resolution recommending adoption of a Negative Declaration with mitigation measures amendments on 26 August 1992;

WHEREAS, on 26 August 1992 the Planning Commission adopted Resolution No. 92-46 recommending adoption of an ordinance amending the commercial zoning regulations.

WHEREAS, the City Council held a public hearing on the proposed Land Use Code amendments on 20 October 1992 and 3 November 1992; and

WHEREAS, the City Council adopted Resolution No. 92-100, adopting a Negative Declaration for the proposed Land Use Code amendments.

NOW, THEREFORE, the City Council of the City of Carmel- by-the-Sea does ordain as follows:

Section One. Amend Chapter 17.06 - Districts Established, as shown on Exhibit "A" as attached hereto.

Section Two. Add Section 17.10.010.0 - Standards for Approval of Uses within the RC Land Use District or Uses Located within 300 feet of the R-1 Land Use District, as shown on Exhibit "B" as attached hereto.

Section Three. Add Section 17.12.085 - General Design Regulations and Section 17.12.086 - Design Regulations for Exterior Seating Associated with and Eating Place, as shown on the Exhibit "C" as attached hereto.

Section Four. Amend the Land Use District Map as shown on Exhibit "D" attached hereto.

Section Five. Amend or delete Sections of the Land Use Code that are inconsistent or which are superseded by other provisions of this ordinance, as shown on Exhibit "E" attached hereto.

Section Six. Violations. Any person, firm or corporation, whether as principal or agent, employed or otherwise, violating or causing or permitting the violation of the provisions of this ordinance is guilty of an infraction. Any part of any building erected contrary to the provisions of this ordinance is hereby declared to be unlawful and a public nuisance and the City Attorney shall, upon order of the City Council, immediately commence action for the abatement or removal thereof. Should any person, firm or corporation violate the terms of this ordinance and any action is authorized by the City Council or the City Attorney or is in fact filed for said violations, no other action shall be taken on any application filed by or on behalf of said person, firm or corporation until the litigation has been resolved.

Section Seven. Severability. If any part of this ordinance is found to be unenforceable, such finding shall not affect the enforceability of any other part.

Section Eight. Effective Date. The ordinance shall take effect 30 days after final adoption.

PASSED AND ADOPTED by the City Council of the City of Carmel-by-the-Sea this 8 day of December, 1992, by the following roll call vote:

AYES: COUNCIL MEMBERS: Brooks, Coniglio, Fischer, White

NOES: COUNCIL MEMBERS: Livingston

Attest: Ken White, Mayor
Jeanne Brehmer, City Clerk

ORDINANCE NO. 92-23
EXHIBIT "A"
Chapter 17.06
DISTRICTS ESTABLISHED

Sections:

17.06.010 Purpose
17.06.020 Districts Established
17.06.030 Commercial Land Use Districts - Purpose
17.06.031 Commercial Land Use Districts - Established
17.06.032 Commercial Land Use Districts -Descriptions
17.06.033 Allowed Uses
17.06.035 Land Use District Map and Tables
17.06.036 Use Charts - Established
17.06.040 Definitions

17.06.010 Purpose. The public health, safety, welfare, convenience and comfort in the City require that the use of private property be regulated and that districts and zones be established throughout the City, within some of which it is lawful and in others unlawful to erect, alter, or maintain certain buildings, or to make certain uses of property, and in all of which certain uses shall be prohibited. (Ord. 159 C.S. 1(part), 1968: prior code 1302.0).

17.06.020 Districts Established. Every part of the City, exclusive of public streets and alleys, is classified into districts or zones, the designation and the regulations of which are set forth in this Title. In case any of the streets or alleys have been or are hereafter abandoned, the land embraced in such abandoned area shall take the district classification of the property to which it reverts. For each of such districts there are imposed certain regulations and limitations on the uses of land, the use, height and bulk of buildings and the open spaces around buildings. (Ord. 159 C.S. 1(part), 1968: prior code 1302.1)

17.06.030 Commercial Land Use Districts - Purpose. The commercial area is divided into three land use districts for the purpose of providing an appropriate geographic distribution of land uses of varying intensity and community impact. The primary goal of these districts is to preserve and protect the predominantly residential character of the city by providing a balanced mix of commercial and residential uses in accordance with the General Plan. This goal is to be achieved by:

A. Locating intense commercial activities in the core of the commercial area;

B. Providing a transition from intense uses in the commercial core to less-intense uses in the residential districts;

C. Controlling the number, type and distribution of similar uses among the different districts;

D. Encouraging a mix of commercial, residential and community activities throughout the commercial area;

E. Excluding those commercial activities which conflict with the protection of the City's residential character and unique village atmosphere, and which can be and are provided outside the village but within the region. (Ord. 84-14 1(part), 1984: prior code 1302.2.0).

17.06.031 Commercial Land Use Districts - Established. Commercial land use districts are established and designated as follows:

District Name	Designation
Central Commercial	CC
Service Commercial	SC
Residential and Limited Commercial	RC

(Ord. 84-14 1(part), 1984: prior code 1302.2.1).

17.06.032 Commercial Land Use Districts - Descriptions.

A. Central Commercial (CC). The purpose of the Central Commercial District is to provide an appropriate location for a broad range of retail, residential and service uses. Uses which generate high pedestrian traffic and which do not have large space requirements are appropriate in this district. Residential uses are appropriate on second floors of structures. (Ord. 92-23 1, 1992.)

B. Service Commercial (SC). The purpose of the Service Commercial District is to provide an appropriate location for services, offices, residential and limited retail activities that primarily serve local needs. This district is intended to provide a distinct transition between the more intense activities in the CC District and the less intense activities in the districts on its periphery. Mixed uses of commercial and residential activities are appropriate throughout this district.

C. Residential and Limited Commercial (RC). The purpose of the Residential and Limited Commercial District is to provide an appropriate location for permanent and transient residential uses, service and office uses, and limited retail uses that do not adversely impact the residential neighborhood. This district is intended to provide a transition and buffer between the more intense activities in the CC and SC Districts and the less intense activities in the R-1 and R-4 Districts. (Ord. 92-23 1, 1992; Ord. 84-14 1(part), 1984: prior code 1302.2.2).

17.06.033 Allowed Uses. Specific categories of uses allowed for each land use district are listed in Section 17.06.036. Standards for the review of uses are keyed in the chart and are contained in Chapter 17.10. Findings for approval of conditional uses are identified in Chapter 17.18 of this Title. (Ord. 92-23 1, 1992.)

17.06.034 Use Charts - Administration. In the use charts, land use classification and reference numbers to the Standard Industrial Classification (SIC) system are listed on the vertical axis. Land use districts in the commercial area are shown on the horizontal axis. The following are guidelines for interpreting the use chart:

A. If the symbol "P" appears in the box at the intersection of the column and the row, the use is permitted subject to general requirements for uses in the land use district listed in Chapter 17.10.

B. If the symbol "C" appears in the box at the intersection of the column and the row, the use is subject to the conditional use permit provisions specified in Chapter 17.18 and to the general requirements for the use and the zoning district listed in Chapter 17.10.

C. If no symbol appears in the box at the intersection, the use is not allowed in that district.

D. If a number appears in the box at the intersection of the column and the row, the use is subject to standards as indicated in the corresponding note. Uses that do not conform to the standards identified are not allowed. (Ord. 92-23 1, 1992.)

E. Except for ancillary uses in conformance with Section 17.10.010.D, a use that combines activities falling within two or more SIC designations specified in the use charts shall require a use permit. A use that combines activities falling within two or more SIC designations specified in the use charts shall not be permitted if any one of the activities is a prohibited use. (Ord. 92-23 1, 1992.)

F. "SIC Ref." is reference to the current edition and update of the Standard Industrial Classification (SIC) Code, issued by the Executive Office of the President, Office of Management and Budget. (Ord. 86-3 1(part), 1986; Ord. 84-14 1(part), 1984: prior code 1302.2.4).

G. Questions as to the inclusion or exclusion of a particular proposed use in a particular category will be determined by the Director of Community Planning and Building. The Director shall make the decision according to the characteristics of the use, and upon the Director's interpretation of the Land Use Code and current edition of the Standard Industrial Classification (SIC) Code. The determination by the Director may be appealed to the Planning Commission by anyone aggrieved by the decision following the procedures specified in Section 17.46.020.G of this Code. (Ord. 92-23 1, 1992; Ord. 86-3 1(part), 1986; Ord. 84-14 1(part), 1984: prior code 1302.2.5).

17.06.035 Land Use District Map and Tables.

A. The designation, location and boundaries of the land use districts established by this Title are shown on the City's official zoning map, which is incorporated herein by reference.

B. The following table lists all lots and blocks contained within each land use district:

CC District

Block 55	Lots 9, 11, 13, 15 and 17 through 20
Block 56	Lots 9 through 20
Block 57	Lots 7 and 9 through 20
Block 70	All
Block 71	All
Block 72	All
Block 73	All
Block 74	Lots 1 through 4; 9, 11, 13, and N 1/2 Lots 5 through 8
Block 75	Lots 1 through 17; 19 and 21
Block 76	All
Block 77	All
Block 78	All

SC District

Block 49	Lots 14, 16 through 26
Block 50	Lots 13 through 20
Block 51	Lots 13 through 20
Block 55	Lots 1 through 8; Lots 10, 12, 14 and 16
Block 56	Lots 1 through 8
Block 57	Lots 1 through 6; Lot 8
Block 58	All
Block 90	Lots 1 through 4
Block 91	Lots 1 through 8; Lots 10 and 12
Block 92	Lots 1, 3, 5, 7 and 9

RC District

Block 34	All
Block 35	All
Block 36	Lots 1 through 11; Lots 13 and 15
Block 50	Lots 1 through 12
Block 51	Lots 1 through 12
Block 59	Lots 4 through 26
Block 68	All
Block 74	Lot 12; Lots 14 through 22; Lot 10; S 1/2 Lots 5 through 8
Block 75	Lots 18, 20, and 22
Block 89	All
Block 90	Lots 5 through 20
Block 91	Lots 9 and 11; Lots 13 through 20
Block 92	Lots 10 through 20; Lots 2, 4, 6 and 8
Block 93	Lots 1 through 6
Block A	Lots 1 through 6
Block EE	Lots 1 through 11

(Ord. 92-23 1, 1992; Ord. 89-19, 1989; Ord. 87-18 2, 1987; Ord. 85-40 1, 1985; Ord. 85-34 1, 1985; Ord. 84-14 1(part), 1984: prior Code 1302.2.6.)

The *Sun* has printed the full text of the Carmel zoning ordinance as a public service to voters who will act on it in the June 8 election. Pull out this section and save it.

17.06.036 Use Charts - Established

RETAIL

SIC REF	LAND USE DESCRIPTION	CC	SC	RC
52	Building materials, hardware and garden supplies	P1	P1	C1
533	Variety stores	C	C	-
54	Food stores - full line	P	P	C
54	Food stores - specialty	P2	C2	-
55	Automotive dealers and gasoline service stations	P3	P3	C3
5571	Motorcycles, mopeds & parts	P4	P4	-
56	Apparel	P5	P5	-
566	Shoes	P	P	-
57	Home furniture, furnishings and equipment	P	P25	-
5736	Musical instruments	P	P	-
5812	Eating places - full line	P6	P6	C6 & C7
5812	Eating places - specialty	C8	-	-
5813	Drinking places	C9	C9	-
591	Drug, cosmetics, soaps and scents	P	P	-
592	Liquor	P10	P10	C10
5932	Used merchandise	C11	C11	-
593	Antique	C12	C12	-
5941	Sporting goods and bicycle	P4	P4	-
5942	Bookstores	P	P	-
5943	Stationery	P	P	-
5944	Jewelry	P13	-	-
5945	Hobby, toys and games	P	P	-
5946	Camera, photographic supply and photofinishing	P	P	-
5947	Gifts, novelty and souvenir	C14	-	-
5948	Luggage and leather goods	P	P	-
5949	Sewing, needlework and piece goods	P	P	-
5961	Catalog and mail order	P15	P15	P15
5962	Automatic merchandising	P16	P16	-
5949	Sewing, needlework and piece goods	P	P	-
5961	Catalog and mail order	P15	P15	P15
5962	Automatic merchandising	P16	P16	-
5992	Florists	P	P	-
5993	Cigar and tobacco	P	P	-
5994	Newsstands	P	P	-
5995	Optical goods	P	P	-
5999	Art dealers	P17	P17	-
5999	Arts and crafts	P18	P18	-
5999	Specialized retail	P	P	-

SERVICE

SIC REF	LAND USE DESCRIPTION	CC	SC	RC
60-62	Banking, credit institutions, and security services	C	C	-
64	Insurance services	P	P	P
65	Real estate	P	P	C
701	Hotels and motels	C19	C19	C19
72	Personal services	P20	P20	P20
721	Laundry, cleaning and garment services	C21	C21	C21
73	Business services	P	P	P
75	Automotive repair and services	C	C	C
752	Automobile parking	-	C	C
76	Repair services	P	P	C
7832	Motion picture theaters	C	C	C
784	Video tape rental	P	P	C
79	Amusements & recreation services	C22	C22	C22
791	Dance studios & schools	-	C	C26
80	Health services	P	P	P
805	Nursing & personal care facilities	C	C	C
81	Legal services	P	P	P
82	Educational services	P	P	P
83	Social services	P	P	P
84	Museum, galleries, gardens (non-commercial)	P	P	P
86	Membership organization	P	P	P
87	Other offices	P	P	P
873	Research development and testing services	P23	P23	P23
07	Animal services	P24	P24	P24
78	Landscape services	P	P	P
47	Travel agencies, transportation services and tour operators	P27	P27	C27

MISCELLANEOUS

SIC REF	LAND USE DESCRIPTION	CC	SC	RC
48	Communication, telephone broadcasting	P	P	C
49	Utilities	P	P	C
C.	Construction services	P27	P27	C27
D.	Manufacturing	P28	P28	C28
F.	Wholesale trade	P	P	C
J.	Public facilities	P	P	P
000	Residential Dwellings - 0 to 33 Units/Acre	29	30	30
000	Residential Dwellings - 33.1 to 44 Units/Acre	C31	C31	C31

NOTE SIC DESCRIPTION

1 52 Building materials, hardware, and garden supplies

1. All equipment, supplies and merchandise other than live plants and lumber are kept within a completely enclosed structure.
2. All types of fertilizer or any chemicals are stored in package form only.

2 54 Food stores - Specialty

1. The use is not classified as a drive-in or formula food store establishment.
2. No seating is provided on the premises.
3. All food sold is placed in covered containers or wrappings.
4. The amount of water used will not exceed the amount of water consumed on an annual basis by the prior use.
5. There are adequate facilities on the property for storage of trash and garbage generated by the use.
6. The use would not increase the number of food stores or eating places located within structures facing on Ocean Avenue.

3 55 Automotive dealers and gasoline service stations

1. The site is not closer than one hundred feet (100') to the R-1 Land Use District.
2. The site does not exceed 12,000 square feet in size.
3. The site does not have more than two (2) driveways which do not exceed one-third of the frontage of any public street.
4. All equipment, operations and display of merchandise is kept within an approved structure, except for those items directly required for the dispensing of gasoline, water, air and for the replenishment of oil.
5. A site plan has been approved through the design review process.
6. The retail sale of food items is limited to a space not exceeding two hundred (200) square feet and is subject to the standards for a specialty food store.

4 5571 and 5941 Motorcycles, moped and parts
Sporting goods and bicycle

1. All merchandise is contained within an enclosed building.
2. The space is not located within a building fronting on Ocean Avenue.
3. The space is not located on property within 300' of the R-1 Land Use District.

5 56 Apparel

1. The use does not contain more than 10% of all stock, retail or window display area devoted to jewelry.
2. The use does not contain more than 10% of all stock, retail or window display area devoted to tee-shirts or similar apparel bearing words or images.

6 5812 Eating Places - Full Line

1. There is an adequate area on the site for the closed storage of trash and garbage generated by the use. The on-site storage is designed so that the area can be cleaned and the refuse removed without creating a public nuisance and without being placed on the sidewalks or other public ways.
2. Food sold for consumption off the premises is placed in covered containers or wrappings.
3. The use is not primarily classified as a drive-in, formula, or take-out food establishment.
4. There are restrooms available for use by both sexes within the specific business premises in which the use will be located. These restrooms comply with all provisions of the Uniform Building Code and Plumbing Code and are be available for use by both the employees and patrons of the business.
5. The maximum seating capacity does not exceed the standards in the State Fire and Building Codes, and that such seating capacity is posted on the premises.
6. All parking requirements established for the use in Chapter 17.34 of this Code have been met.
7. The business is primarily classified as an eating place, and any sale of alcoholic beverages is subordinate to this primary use.
8. All alcoholic beverages are prepared at a nonpublic service bar, as defined within this Code.
9. Substantially all foods from the standard menu are available for purchase during the hours that alcoholic beverages are being served except for the first hour and the last hour of each business day.
10. The applications, menu and plans indicate that the business is primarily an eating place and that such alcoholic beverages are served only at standard-height dining tables within the business premises.
11. The sale of non-food merchandise associated with the use, including but not limited to, apparel, matches, ash trays, and menus is allowed, but such merchandise is not displayed or advertised for sale.
12. Outside seating is allowed subject to an approved design review application in accordance with the standards contained in Section 17.12.086.
13. The use would not increase the number of food stores or eating places located within structures facing on Ocean Avenue.

7 5812 Eating Places - Full-line (RC District)

1. By allowing the use, the total number of eating places in the RC District does not exceed eight (8).
2. The site is not located within one hundred feet (100') of a residential dwelling unit.
3. The service of meals does not extend beyond the hour of 9:00 p.m.
4. The use meets all standards for eating places (identified in Note 6).

8 5812 Eating Place - Specialty

1. The use is not classified as a drive-in, walk-up or formula establishment.
2. The use is at least six hundred (600) square feet in size.
3. At least twenty (20) seats are available for customer use and attractively arranged within the business premises. The customer seating area is open to patron use during all hours of operation and that the use is managed to encourage on-premises consumption of food products.
4. The service counter is located within the interior of the business premises and is located and arranged so that patron queues are be contained within the building.
5. All products sold for consumption off the premises, other than cones, are placed in covered containers or wrappings.
6. The operator of the use authorized by this permit is be responsible for the clean-up of all on-site and off-site trash, garbage and litter generated by the use. That a practical plan for monitoring and implementing this clean-up has been submitted with the application, and that this plan has been adopted as a condition of the approved use.
7. There is an adequate area on the site for storage of trash and garbage generated by the use. The on-site storage is designed so that the area can be cleaned and the refuse removed without creating a public nuisance and without being placed on public sidewalks or other public ways.
8. There are restrooms available for use by both sexes within the specific business premises in which the use will be located. These restrooms comply with all provisions of the Uniform Building Code and Plumbing Code and are available for use by both the employees and patrons of the business.
9. The use does not increase the number of food stores or restaurants located within structures fronting on Ocean Avenue.
10. The sale of non-food merchandise associated with the use, including but not limited to, apparel, matches, ash trays, and menus is allowed, but such merchandise is not displayed or advertised for sale.
11. Outside seating is allowed subject to an approved design review application in accordance with the standards contained in Section 17.12.086.

9 5813 Drinking Places

1. By allowing the use, the total number of drinking places does not exceed three (3).
2. The proposed use is not located closer than two hundred feet (200') to another use selling distilled spirits intended for either on-site or off-site consumption.
3. The proposed use is located in one of the Blocks numbered 70 through 77 inclusive, as shown on the map of Carmel-by-the-Sea.

10 592 Liquor

1. The proposed use is not located closer than two hundred (200') to another use selling distilled spirits intended for either on-site or off-site consumption.
2. The proposed use is not located on property closer than one hundred feet (100') to the R-1 Land Use District.

3. All food merchandise sold is limited to pre-packaged items only and does not exceed ten percent (10%) of the retail or window display area.

11 5932 **Used Merchandise**
1. The used merchandise is sold for non-profit purposes or as used books in a book store.
2. The merchandise does not include automotive supplies and equipment, building materials, antiques, jewelry or art.

12 593 **Antique**
1. Merchandise considered collectibles may be allowed up to ten percent (10%) of the total retail display area including window displays.
2. Art objects or jewelry may be allowed up to ten percent (10%) of the total retail display area including window display.

13 5944 **Jewelry**
1. The use provides a full line of jewelry merchandise.
2. An area of at least ten percent (10%) of the total floor area of the business premise is utilized and maintained for the purpose of manufacturing and repair of jewelry.
3. A craftsperson/jeweler is on the business premises for consultation; and available for design, repair and craftwork for at least one-half of the hours in which the use is open for business.
4. By allowing the use, the total number of jewelry uses does not exceed thirty-two (32).

14 5947 **Gifts, Novelty and Souvenir**
1. By allowing the use, the total number of gift, novelty and souvenir stores does not exceed ten (10).

15 5961 **Catalog and Mail Order**
1. The use is limited to an ancillary use in conjunction with a primary retail outlet in the CC and SC Land Use Districts.
2. Offices of mail order houses or catalog order stores with no retail outlet are allowed in the RC District classified as 87 - Other Offices.

16 5962 **Automatic Merchandising Machines**
1. The use is limited to machines not visible from any public right-of-way and is fully contained within an enclosed structure.
2. No more than two machines are within the place of business.

17 5999 **Art Dealers**
1. The use meets one of the following standards:
   a. The use represents artists, art forms or subjects that are not otherwise represented in the community; or
   b. the use features a single artist representing at least eighty percent (80%) of the art for sale in the use; or
   c. the use includes a working studio that is utilized for art production by artists represented in the gallery for over half the hours the use is open.

18 5999 **Arts and Crafts**
1. The use sells handcrafted merchandise for home decoration and/or furnishings within one or more of the following categories: pottery, glass, fabric, paper, wood, fiber or ceramics.
2. The merchandise represents unique, artisan-produced items rather than machine or mass-produced goods.
3. The proposed merchandise has functional and/or decorative uses and is not classified as fine art.
4. Art and/or jewelry does not exceed ten percent (10%) of the display area.

19 701 **Hotels and Motels**
1. The use is limited to hotels and motels in existence as of April 1988. Additional units are prohibited.
2. Hotels and motels may include minor ancillary uses such as light meals and refreshments for guests only, with or without separate remuneration. If such ancillary uses are available to the general public, they are allowed uses within the underlying land use district and meet all design, parking and land use regulations established for the use.

20 72 **Personal Services**
1. The use is not one of the following: spas, health clubs, massage parlors, steam baths, tattoo parlors, Turkish baths, wedding chapels.

21 721 **Laundry and Dry Cleaning**
1. The dry cleaning use is limited to one synthetic dry cleaning machine using non-flammable and non-explosive solvents and having a capacity of not more than forty pounds per cycle.
2. The laundry use is limited to the use of low water use fixtures.

22 79 **Amusements and Recreation Services**
1. Astrologer, palm reader, phrenologist and fortune teller use is limited to existing commercial space locations in the CC Land Use District on the second floor above street grade. The use is not to be located on or within one hundred feet (100') of Ocean Avenue.
2. The use is not one of the following categories: public golf courses, coin operated amusement devices, amusement parks, bathhouses, bookies, bookmakers, gambling and gaming services, or off-track betting.

23 873 **Research Development and Testing Services**
1. The use does not expose employees or the public to hazardous materials or conditions.
2. Materials and wastes generated by the use are disposed of in a manner that will not be injurious to public health, safety or welfare.

24 0742-075 **Animal Services**
1. The use is limited to an office providing veterinary services to small pets only.
2. The use does not provide overnight boarding of pets except for emergency hospitalization needs.
3. All animals in the custody of the business are be kept within buildings approved for the use, and that the premises is so constructed as to properly control sound and odor connected with the keeping of animals on said premises.

25 57 **Home Furniture, Furnishings and Equipment**
1. On-site parking and space for unloading of delivery trucks is provided or merchandise is limited to items delivered in small vans or private automobiles.

26 791 **Dance Studio/School**
1. An acoustical analysis has been conducted and noise attenuation measures have been implemented to protect the health and general welfare of nearby residential land uses.
2. The use is not operated beyond the hour of 9:00 p.m.

27 47 **Travel Agencies, Transportation Services and Tour Operators**

and

C **Construction Services**
1. The use is an office only.
2. There is no storage of equipment, building materials or vehicles.

28 D **Manufacturing**
1. The use is limited to small scale craft or artisan oriented production of goods.
2. The total employment is limited to five persons in such production per use.

29 **Residential Dwellings 0 to 33 units per acre - CC District:**
Densities exceeding 22 units/acre require a use permit .
Exclusions: Transient use of dwellings prohibited. Condominium subdivisions and stock cooperatives prohibited.
All multifamily projects of three or more units shall include a mix of unit sizes including smaller units of 400 to 650 square feet.

30 **Residential Dwellings - 0 to 33 units/ acre SC and RC Districts:**
Densities exceeding 22 units/acre require a use permit.
Exclusions: Transient use of dwellings prohibited. Stock cooperatives prohibited.
Condominium subdivision projects are limited to sites of 4,000 square feet or less and to projects incorporating an equal or greater number of rental apartment units for sites larger than 4,000 square feet.
All multifamily dwelling projects of three units or more shall provide a mix of unit sizes including smaller units of 400 to 650 square feet.

31 **Residential Dwellings - 33.1 to 44 units per acre**
Special Findings required, see Section 17.18.150.
For projects located in the CC District, also see Note 44 above. For projects located in the SC, or RC Districts, see Note 45 above.

17.06.040 Definitions.

A. **Ancillary Use**. A use that is secondary or limited in comparison to a primary use in terms of inventory, merchandise, or amount of display space that is occupied.

B. **Antique** (593). A retail store selling merchandise that is old or rare. The age of the merchandise will be dependent on the type of merchandise.

C. **Apparel** (56). A retail store selling new clothing and related articles for personal wear and adornment.

D. **Art Dealers** (5999). A retail store selling art objects including but not limited to paintings, graphic arts, photography and sculpture.

E. **Arts and Crafts** (5999). A retail store selling handcrafted merchandise for home decoration and/or home furnishings of one of the following materials: pottery, glass, fabric, paper, wood, fiber, or ceramics.

F. **Automobile Parking** (752). Parking to the general public for a fee not including accessory parking for other uses.

G. **Motorcycles, Mopeds and Parts** (5571). A retail store selling motorcycles, scooters, mopeds and parts.

H. **Building Materials, Hardware and Garden Supplies** (52). A retail store selling lumber and other building materials, paint, glass and wallpaper; hardware items such as tools, housewares, appliances and locks; lawn and garden supplies.

I. **Business Services** (73). A use providing primarily services to business establishments such as advertising, mailing, computer programming, stenographic, data processing, duplicating, personal supply, services to buildings and equipment rental.

J. **Camera and Photosupply** (5946). A retail use selling cameras, film and other photographic supplies and equipment. The use may also provide photofinishing and equipment repair.

K. **Drinking Place** (5813). A use selling primarily alcoholic beverages on the business premises for immediate consumption.

L. **Drug, Cosmetic, Soaps and Scents** (591). A retail store selling prescription drugs and medicines, cosmetics, toiletries, tobacco, magazines and soaps and/or scents.

M. **Eating Place** (5812)

1. Drive-In Restaurant: A business which prepares food primarily intended for consumption in vehicles which may or may not be parked on the business premises.

2. Formula Restaurant: A business required by contractual or other arrangements to offer standardized menus, ingredients, food preparation, decor or uniforms.

3. Full-Line Restaurant: A business selling a full line of prepared food and drinks for immediate consumption on the business premises. The business provides tables and chairs, table service and menus.

4. Lunch Counter: A business devoted to the serving of prepared food or beverages to the public in such a manner that said food or beverages would customarily be consumed while seated at a counter.

5. Snack Bar: A business devoted to the serving of prepared food or beverages to the public, in such a manner that said food or beverages would customarily be consumed on or near the premises while the customers are not seated.

6. Specialty Restaurant: A business selling a limited line of food such as frozen desserts, bakery goods, coffee and tea, sandwiches and drinks for immediate consumption on the business premises. The business provides seating, but limited, or no table service and menus.

7. Soda Fountain. A business devoted exclusively to the preparation and serving of nonalcoholic beverages, ice cream dishes, confections, and desserts for consumption on the premises by persons seated at tables or counters.

8. Take-Out Restaurant: A business which primarily prepares or serves food intended for consumption off the premises while patrons are walking or standing on the streets or sidewalks or are seated in vehicles.

N. **Florists** (5992). A retail use selling cut flowers, dried plant materials or growing plants.

O. **Food Stores Full-Line** (54). A retail food market providing a full range of food and grocery items including meats, poultry, produce, dairy products, canned and dried goods for home preparation.

P. **Food Stores Specialty** (54). A retail food market providing limited food items including but not limited to coffee, tea, bakery goods, candy, nuts, or delicatessen items for home consumption.

Q. **Formula Food Store** (54). A business required by contractual or other arrangements to offer standardized products or product lines, ingredients, decor or uniforms.

R. **Gifts, Novelty and Souvenir** (5947). A retail store offering predominantly impulse items, items bearing local place names, greeting cards, holiday decorations, curios, balloons, small art goods and other novelty merchandise.

S. **Hobby, Toys and Games** (5945). A retail store selling toys, games, hobby and craft kits, and supplies.

T. **Home Furniture, Furnishings and Equipment** (57). A retail store selling furnishings or equipment primarily for the home such as furniture, floor coverings, draperies, glass and china, appliances, electronic and computer equipment; tapes, disk and phonograph records; and musical instruments.

U. **Intensity of Use.** Intensity of Use is defined by the impacts a particular use or the use in combination with other uses has on its surroundings or in its demand for services and natural resources. Uses that require more water, gas, electricity or public services are more intense than uses whose needs for this support are less. Other measures of intensity are the number of automobile trips generated by the use, the parking demand, the number of employees on the site, hours of opera-

tion, the amount of noise, light or glare generated, the number of persons attracted to the site or in eating establishments, the number of seats. Some intense uses may meet a need, provide an amenity or other positive contribution to the community.

V. **Jewelry Stores** (5944). A retail store selling a combination of jewelry items, predominantly handcrafted, including diamonds and other precious stones mounted in precious metals as rings, bracelets, and brooches; sterling and plated silverware; watches and clocks.

W. **Liquor Store** (592). A retail store selling primarily packaged alcoholic beverages for consumption off the premises.

X. **Other Offices** (87). An office use not otherwise defined as personal or health care services where clients visit primarily on an appointment basis or where business is conducted telephonically. Specific uses include, but are not limited to, engineering, architectural, surveying, accounting, bookkeeping, management and public relations.

Y. **Sporting Goods and Bicycle Shops** (5941). A retail store selling sporting goods, sporting equipment, and non-motorized vehicles.

Z. **Specialized Retail** (5999). A retail store selling a specialized line of merchandise not otherwise defined including, art and architectural supplies; candles; coins and stamps; gems, rocks and stones; telescopes; and binoculars.

AA. **Stationery Store** (5943). A retail store offering a full range of paper products, office forms and supplies, stationery, cards, pens, pencils and writing supplies.

BB. **Used Merchandise Store** (5932). A business devoted primarily to the sale of used goods normally consisting of household discards. This definition does not apply to specialty stores such as book stores, antique stores, jewelry stores, or stamp and coin shops.

CC. **Variety** (533). A retail store selling a number of lines of merchandise primarily for home use including dry goods, apparel and accessories, home furnishings, hardware and stationery.

EXHIBIT "B"

17.10.010.0 Standards for Approval of Uses in the RC Land Use District or Located on Property within 300 feet of the R-1 Land Use District. (Ord. 92-23 2, 1992.)

A. For uses in the RC Land Use District or located on any property within 300 feet of an R-1 Land Use District the following standards shall apply:

1. No activity shall be permitted that generates noise in excess of 55 dB at the exterior of the building or yard in which the use is conducted. No activity shall be permitted that causes in excess of 50 dB measured at the property line of any site in the vicinity of the use. Proposed activities that would generate or cause noise in excess of these levels shall require mitigation to achieve these standards or shall be prohibited. Sound measurements shall be made using a sound level meter calibrated for the A- weighted scale and shall be averaged over a fifteen-minute period. If the use generates or causes noise which includes a steady whine, screech or hum, or is repetitive or percussive or contains music or speech the respective noise standards shall be reduced by 5 decibels.

2. Any activity requiring deliveries by vehicles wider than eight feet (8') or vehicles of three axles or more shall provide off-street loading facilities adequate to avoid double parking on-street. Such facilities shall be used to the extent feasible.

3. Proposed commercial uses that are estimated to generate more than forty (40) vehicle trips per day per 1,000 square feet of floor space shall be prohibited from operating before 8:00 a.m. or after 8:00 p.m. All other commercial uses shall be prohibited from operating before 6:00 a.m. or after 9:00 p.m.

EXHIBIT "C"

Chapter 17.12

17.12.010 Findings - Applicability of Provisions
17.12.020 Design Review
17.12.030 Maximum Building Site Area
17.12.040 Building Coverage
17.12.050 Open Space
17.12.060 Floor Area Ratio (FAR)
17.12.070 Existing Nonconforming Buildings
17.12.080 Maintaining Village Character
17.12.085 General Design Regulations
17.12.086 Design Regulations for Exterior Seating Associated with an Eating Place
17.12.090 Building Height
17.12.100 Setbacks
17.12.110 Landscaping
17.12.120 Public Improvements
17.12.130 Parking Design
17.12.140 Lighting
17.12.150 Retaining Walls

*Prior ordinance history: Portions of Ords. 159 C.S. and 229 C.S., as amended by Ords. 92-23, 90-02, 88-09 and 83-8, and prior code sections 1305.1 — 1305.9 and 1305.9.1 — 1305.9.4

17.12.085 General Design Regulations. In order to protect the unique qualities and characteristics of the commercial district, especially on Ocean Avenue, all exterior changes to commercial structures fronting on Ocean Avenue shall be subject to the following design regulations: (Ord. 92-23 3, 1992.)

A. That the modification shall respect and be compatible with the architectural character and scale of the existing structure.

B. That the modification shall complement the existing scale and design of the commercial district.

C. That the modification shall not create visual clutter through excessive number of, or uncomplimentary, design elements.

D. That the modification shall not incorporate color, materials, patterns or other design elements that:

1. call attention to the storefront;

2. create a form of advertising or sign;

3. would render the storefront unusable by a subsequent business occupant without further remodeling; or

4. create a standardized identification with a particular business use.

E. That openings including doors and windows shall be in proportion to the storefront and structure.

F. That the amount of glass transparency along the storefront is limited to prevent an excessive amount of interior light and/or glare to shed onto the public right-of-way.

G. That the use of recessed entrances, Dutch doors, wood, framed windows, decorative moldings, offset building facades, and landscaping that create pedestrian interest shall be encouraged.

17.12.086 Design Regulations for Exterior Seating Associated with an Eating Place. (Ord. 92-23 3, 1992.)

A. Does not result in a net increase in seating capacity.

B. Does not occupy more than ten percent (10%) of the required open space on any site nor decrease open space on sites that are non-conforming with regard to open space.

C. The area in which the seating is proposed shall be fully contained on private property and shall not interfere with automobile or pedestrian traffic on any public right-of-way or through any intrablock walkway.

D. The seating area shall be demarked by landscaping or other site features to clearly define the outer boundaries of the seating area. The boundaries shall be established to preserve a sense of openness and ease of access for pedestrian traffic within the vicinity.

E. Outdoor seating areas which allow visual contact and incidental communication between patrons and passersby are encouraged.

F. Physical structures that enhance comfort such as wind screens, heaters, and exterior lighting shall be shielded from view from the public right-of-way and from intrablock walkways or shall be designed to be architecturally compatible with the village character and the adjacent buildings.

G. Hours of service to outside seating areas shall be regulated and monitored to prevent impacts on uses in the vicinity.

EXHIBIT "D"

(Exhibit "D" refers to the Land Use District Map which was not available at the time this was printed. It will be printed next week in the *Sun*.)

EXHIBIT "E"

1. Delete the following Sections from Chapter 17.04 - Definitions:

17.04.080 Bakery
17.04.160 Candy Store
17.04.180 Catalogue Stores
17.04.190 Cleaning Establishments
17.04.210 Delicatessen
17.04.300 Food Service Establishment
17.04.310 Foodstore
17.04.560 Restaurant
17.04.630 Snack Bar
17.04.650 Soda Fountain
17.04.720 Used Merchandise

2. Delete the following Sections from Chapter 17.10 - Commercial District Regulations:

17.10.010.D.3. Such uses shall only be permitted if compatible with the primary use.

17.10.010.D.4. One ancillary use may be established in conjunction with a primary use when the ancillary use is identified as an allowed ancillary use for the primary use in Notes to the Use Charts appearing in Section 17.06.037. The Planning Commission may also approve the establishment of one ancillary use with a primary use, when not listed in the notes to the use charts, through the administrative determination process set forth in Section 17.06.035.B.

1

7.10.020.C. In structures with two or more floors of use above street grade, the upper most story shall be devoted to:

1. Permanent residential use;

2. Hotel or motel use which existed prior to the adoption of this Code.

17.10.020.D. In order to protect the unique qualities and characteristics of the Ocean Avenue commercial area, all uses within structures facing Ocean Avenue on the following lots shall be subject to the requirement for a conditional use permit, including those uses listed as permitted in the use charts in Section 17.06.037. Prior to approving use permits establishing new uses on Ocean Avenue, the decision-making body shall make all specific findings required for the use as established in Section 17.06.037, all special findings required for approval of uses on Ocean Avenue as listed in Section 17.18.160, and all general findings listed in Section 17.18.010, excepting finding subsection K of Section 17.18.010:

1. All of Blocks 70, 71, 72 and 73;

2. Lots 1 through 8 of Blocks 75, 76 and 77;

3. Those portions of Lots 1 through 8 of Block 74 lying within the CC District;

4. Within Block 78, those structures that directly face onto Ocean Avenue. (Ord. 88-09 (Exh. B), 1988: Ord. 84-14 2(part), 1984: prior code 1304.1.2).

17.10.030 Service Commercial (SC) Land Use District — Regulations Applicable.

A. In structures with two or more floors of use above street grade, The upper most floor shall be devoted to:

1. Permanent residential use;

2. Hotel or motel use which existed prior to the adoption of this Code (Ord. 88-09 (Exh. B), 1988: Ord. 84-14 2(part), 1984: prior code 1304.1.3).

17.10.040 Residential Commercial (RC) District — Regulations Applicable

A. In structures with two or more floors of use above street grade built prior to August 3, 1984, the uppermost story shall be devoted to:

1. Permanent residential use;

2. Service uses except for those uses which are excluded by Section 17.06.037;

3. Hotel or motel uses which existed prior to April 1988. (Ord. 89-19 8, 1989).

3. Delete the following Sections from Chapter 17.18 - Findings Required for Permits and Approvals:

17.18.030 Special Findings - Eating Places
17.18.040 Special Findings - Gasoline Service Station
17.18.050 Special Findings - Drinking Places
17.18.060 Special Findings - Adding On-Sale General Liquor Sales to an Eating Place
17.18.070 Special Findings - Special Findings - Liquor Stores Selling Distilled Spirits
17.18.080 Special Findings - Jewelry Stores
17.18.090 Special Findings - Art Dealers
17.18.095 Special Findings - Arts & Crafts Shops
17.18.130 Research and Develop Labs
17.18.140 Special Findings - Veterinary Services and Animal Services
17.18.160 Special Findings - For Approval of Uses in Structures Fronting on Ocean Avenue as defined in Section 17.10.020.D

4. Relocate Section 17.06.036 R-4 to 17.22.045 Districts Identified:

Chapter 17.22

MULTIFAMILY RESIDENTIAL R-4 LAND USE DISTRICT *

Sections:

17.22.010 Purpose
17.22.020 Permitted Uses
17.22.030 Conditional Uses
17.22.040 General Regulations Applicable
17.22.045 Districts Identified
17.22.050 R-4 Land Use District Regulations
17.22.060 Motel Use of Apartments Prohibited
17.22.070 Number of Stories
17.22.080 Building Site Area
17.22.090 Front, Side and Rear Yard Setbacks
17.22.100 Distance Between Buildings
17.22.110 Design Regulations
17.22.120 Parking Provisions
17.22.130 Preservation of Public Viewshed
17.22.140 Landscaping

17.22.045 Districts Identified. The following table lists all blocks and lots contained within the R-4 Land Use District: (Ord. 92-23 5,1992; Ord. 92-02, 1990.)

Block 36 Lots 12 and 14; Lots 16 through 26
Block 37 All
Block 48 All
Block 49 Lots 1 through 13; Lot 15
Block 59 Lots 1 through 3

5. Relocate Section 17.06.040 to 17.08.080 Prezoning of Unincorporated Territory and Zoning Upon Annexation

Chapter 17.08

GENERAL REGULATIONS

Sections:

17.08.010 Unlawful Acts
17.08.015 Demolition or Relocation of Structures
17.08.020 Transient Use of Dwelling Units Prohibited in all Zoning Districts
17.08.030 Water Management Program — Purpose
17.08.040 Water Conservation
17.08.050 Water Reserve
17.08.060 Land Use
17.08.070 Acceptance of Applications and Permit Processing
17.08.080 Prezoning of Unincorporated Territory and Zoning Upon Annexation

17.08.080 Prezoning of Unincorporated Territory and Zoning Upon Annexation.

A. The City may prezone unincorporated territory adjoining the City for the purpose of determining the zoning that will apply to such property in the event of subsequent annexation to the City. Such zoning shall follow the procedures set forth in the Government Code of the State and the Municipal Code of the city, and shall become effective at the same time that the territory is annexed.

B. All property annexed to the City shall be placed in the R-1 Land Use District. Areas in the County R-1 zone shall be placed in the R-1-C-6 Land Use District. Areas in the County R-1-B-2 shall be placed in the R-1-C-10 Land Use District, and areas in the County R-1-B-3 zone shall be placed in the R-1-C-20 Land Use District. Any parcel of land located in or partially subject to flooding by the Standard Project Flood as shown on Plate 2 of the U.S. Army Corps of Engineers 1967 Report, "Flood Plain Information, Carmel River, Monterey County, California" shall fall in the R-1-C-FP zone. Any area of the County or any other jurisdiction annexing to the City which zoning classification does not meet one of the above shall be placed in the R-1-C-20 zoning classification until rezoned by a subsequent zoning ordinance adopted by the city. (Ord. 92-23 5, 1992; Ord. 83-1 1(part), 1983: prior code 1302.3).

FUN-IN-THE-SUN

BY DAVE LYON

March may have come in like a lamb and gone out like a moose on roller-blades, but spring is finally here, and things are happening at the Carmel Valley Community Youth Center.

This Saturday, the Youth Center presents the dedication of the Carmel Valley Park gazebo and the opening day of the Valley pool. You know what that means—the start of another endless summer.

Everyone should get out to the park on Saturday and enjoy the music in the gazebo, excellent pizza by the pool and a special $1 swim admission.

Music in the wonderful new gazebo will feature Jake Stock and the Abalone Stompers. There will be soft drinks for the kids and fun for everyone. The dedication ceremony starts at noon, with special speaker Supervisor Karin Strasser Kauffman. Following the ceremony recognizing Joe and Carolyn Samson for their contribution of the gazebo, the party moves to the pool.

Swim lesson registration also begins Saturday, and must be done at the pool with swim coach Di Whitesides, who is back for another season in the sun. The cost for lessons is only $35 for CVCYC members or $45 for non-members. The fee must be paid to reserve a spot.

Swim lesson dates are: Session 1, June 14-25; 2, June 28-July 9; 3, July 12-23; 4, July 26-Aug. 6; and Session 5, Aug. 9-20. Instructional levels include pollywogs, beginners, advanced beginners, intermediates and pre-competitive technique, beginning and advanced diving and life guard training.

Family swim passes have been on sale since March 15, and the demand has been overwhelming. It looks like everyone will be at the pool this summer. Don't be left out. Passes are now available at the CVCYC office for the unbelievably low, post-recession price of $175 if purchased before May 28. After that, the price goes up to $200.

This is also a great time to join the Carmel Valley Community Youth Center as an active member and enjoy all the advantages that membership brings. Call the CVCYC office today at 659-3983 and sign up.

Speaking of getting involved, a big thanx should go out to everyone who showed up for our recent work day at the pool. It was this past Saturday. Kudos to Di Whitesides, Patty Armstrong, Debi Effron, Ann Flood, Fred Holmes, Terry Dombrowski and Lee Warner, who has once again celebrated his 39th birthday. Special thanx to Zack Lyon, who ate all the sandwiches, and to Debi for bringing the birthday cake.

By now, you're probably wondering to yourself "these CVCYC people sound like a lot of fun. Can I join the board, too?" The answer is "yes" because this is your Community Youth Center. The CVCYC is run by a hard-working, fun-loving bunch of your neighbors who are committed to creating the kind of special community center this Valley deserves. Get in touch with CVCYC Head Honcho William "Prez" Tarp and get involved.

Tickets are going fast for the 11th annual CVCYC Monte Carlo night to be held May 1 at Hidden Valley. This is an extremely popular night for everyone and a major fundraiser for the Youth Center. Do not miss this great evening of fun, gaming, food, drinks and wild frivolity. Tickets are available by calling the CVCYC office at 659-3983. They will also be sold at the door.

That's it for now. I'm outta here. My next column will originate from the wilds of New Zealand. Stay tuned for news from down under.

CBA Supports Forest Theater

The Carmel Business Association (CBA) has joined forces with the Outdoor Forest Theatre Guild to promote performances at the popular, historic theater.

The guild will provide tickets to any CBA member who wants to become a booster. The member can then give the tickets to their customers or can sell them and will be charged only for those which are actually used and at 50 percent of the face value.

The guild suggested merchants might want to give tickets away for purchases of over a certain dollar amount, that hotels and inns might want to create a package including the tickets and that restaurants might use them for early-bird or pre-performance dinners.

THREE LITTLE PIGGIES from Carol Catalano's first grade class at River School entertained other students and parents with a Three Piggy Opera on March 23. Pictured are Ashley Briggs, Sean McNearney and Mathew Bagwell
Sun photo by Carolyn Rice

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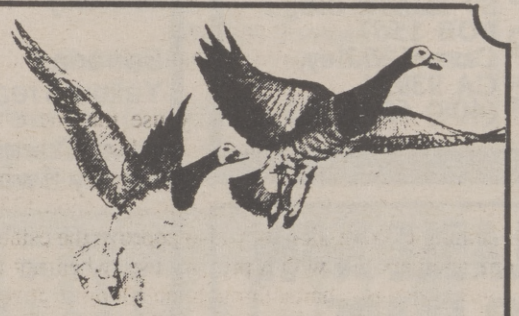

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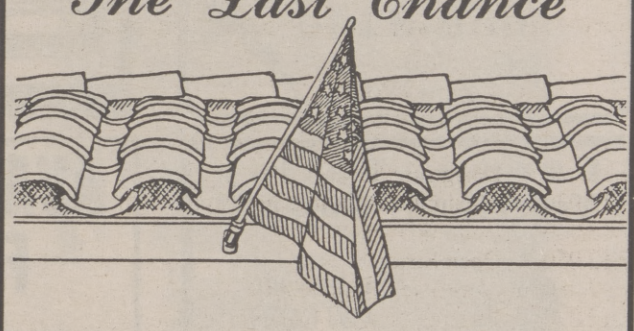

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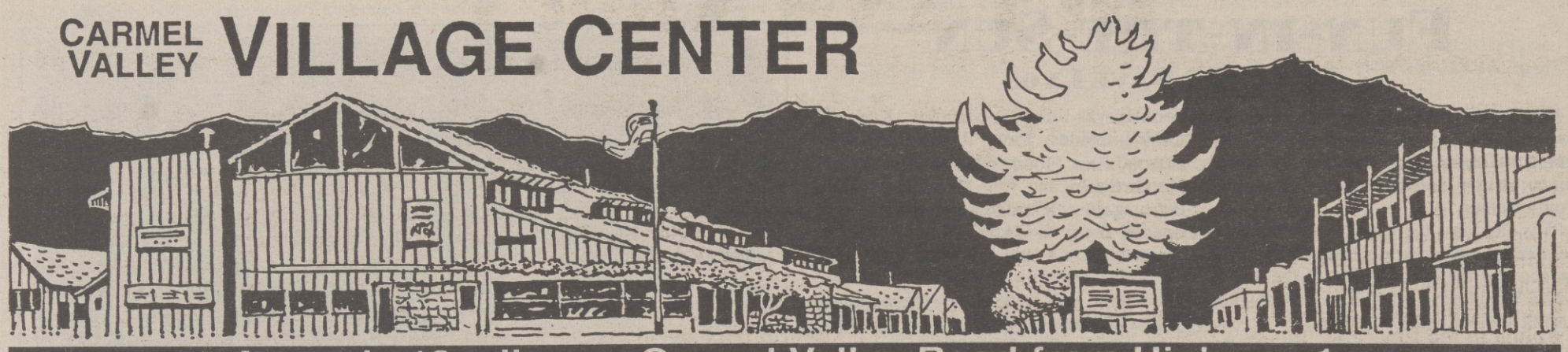

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Photo by CRAIG LOVELL

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OUT AND ABOUT

BY STAN HALL

Although we're now slipping into April, "March Madness" is just reaching its peak.

If that sentence doesn't compute, you obviously don't follow college basketball. But if you're a fan like me, you have gorged yourself on two weeks of almost non-stop hoops as the National College Athletic Association (NCAA) tournament heads for a showdown.

It'll be Kentucky, Kansas, Michigan and North Carolina in the final four in New Orleans, playing for all the marbles. Unlike the regular season where you can recover from a bad game, the tournament is merciless. One loss and you're out. March Madness is over for you. Pack your bag, go home and if you're not a senior, dream about making it to the finals next year. Very few teams do make it, of course.

Basketball has changed enormously since I played in high school and a little in college in the 1950s—going from the two-handed set shot to the one hand slam dunk, from what was often a deliberately slow game to emphasis on speed and quickness at both ends of the floor.

Even at the playground level, most basketball I see today is faster, more athletic and intense than what I used to play. The athletes are bigger, stronger, better coached. They know more about the game, and they learn it earlier. Physically, today's players do things my generation couldn't even imagine. They have amazing role models to emulate on the court, and in trying to copy their feats, they often go on to do even more amazing things.

When I first began learning to play ball, I had no idea that dunks would ever be a routine part of the offense. I can remember more than one coach who would sit you on the bench in a second if you even tried such a thing.

But now, even kids playing with a scruffed up ball and on dirt courts like I did have seen "Air" Jordan perform on TV, and they want to be, as one of his many commercials says, like Michael.

Leaping ability is the thing that amazes me most about today's players. That's probably not surprising because as a player, I was sort of the prototype of the big, slow white guy who couldn't jump. Of course, by today's standards, I wouldn't even be considered big.

The first player I ever saw who made me think he was defying gravity was Elgin Baylor. He was playing for the Lakers in the early '60s on a team that included Jerry West. As a pure shooter, West was one of the best, but I'd seen pure shooters before.

What I couldn't get over was the way Baylor could hurl himself through the air, using muscle, timing and determination to seemingly suspend the laws of gravity—at least long enough for him to score.

The first time I saw him hit a reverse, slam dunk layup, flying through the air under the basket, twisting and slamming the ball down through the hoop, I couldn't believe my eyes. I figured he should be wearing a cape with a big S on it. Today, players as short as 5-foot-6 can dunk like they should be wearing capes, too.

Charles Darwin probably could explain better than I can how the physical game improves just a little bit every year. Look at one year compared to the previous one, and you might not notice the improvement. To really see it, you have to look at it with a longer perspective—like 30 or 40 years, or maybe even 60 or 70 years.

One sure way to start an argument about sports is to suggest that the superstars of yesterday wouldn't fare as well if they played their games against today's improved players.

Would baseball's Babe Ruth still be able to hit 60 home runs in a year, given today's better pitcher? They are better, aren't they? Or would pitchers like Cy Young or Walter Johnson be just effective today.

There's no way to settle an argument like that. But I suspect that if the super athletes of yesterday were brought up and coached with contemporary athletes, they'd still be superstars. If you somehow were able to transport them in time from the past and put them up against today's bigger, stronger, better coached, better equipped players, I doubt they would do as well.

In basketball, another Laker, big George Mikan, is held in the same high esteem as Babe Ruth. But while just about everybody has heard of Ruth, not many people except diehard fans would remember Mikan's name.

He played when the Lakers still were in Minneapolis (that should be a hint if you've ever wondered why a team playing in semi-arid Los Angeles is known as the Lakers.) Mikan was a center and a master of the standing hook shot. At nearly 7 feet, he towered over most of his contemporaries. Today, even Mikan wouldn't be considered especially tall.

If you haven't watched any of the tournament games, why don't you tune in either for the semifinals Saturday or the championship on Monday night. You'll see some superb athletes in fast and furious play. If you're really lucky, you might get to see someone sink a big sweeping hook. I know you'll see plenty of slam dunks.

"March Madness" got its name when the tournament used to be played entirely during the month of March. But then the field of teams invited to play was increased, and the tournament took so long to play, the semifinals and finals slipped over into the next month. It may not be March but it's still Madness—all the better for die-hard fans like me.

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(Reported in Thousands)	*Dec. 31 1991*	*Dec. 31 1992*
ASSETS:		
Cash and Equivalents	$ 35,580	$ 45,120
Investments:		
United States Treasury Obligations	14,970	41,926
United States Agency Obligations	18,126	14,928
State and Municipal Obligations	15,803	11,804
Total Investment Securities	48,899	68,028
Loans:		
Loans, Total	197,092	183,960
Less: Reserve for Loan Losses	(2,148)	(2,352)
Loans, Net	194,944	181,608
Bank Premises and Equipment	7,997	7,835
Accrued Interest Receivable and Other Assets	3,820	5,146
TOTAL ASSETS	291,240	307,737
LIABILITIES:		
Deposits	259,991	272,940
Other Liabilities	1,498	2,010
Total Liabilities	261,489	274,950
SHAREHOLDERS' EQUITY:		
Total Shareholders' Equity	29,751	32,787
TOTAL LIABILITIES AND SHAREHOLDERS' EQUITY	291, 240	307,737

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CONDENSED CONSOLIDATED FINANCIAL DATA*

For the 12 Month Periods ended Dec. 31:

Total Interest Income	$ 24,643	$ 21,429
Net Interest Income	13,768	14,298
Net Income	2,959	2,921
Earning Per Share	1.28	1.28

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Includes Pacific Capital Bancorp, holding company for First National Bank of Central California

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Captain Cooper School Parents Seek Relief from Overcrowding

By Carolyn Rice

Parents of elementary students at Captain Cooper School in Big Sur asked the Carmel Unified School School Board to consider putting up a yurt to relieve crowded school conditions.

The board held its regular meeting at the school located 26 miles south of Carmel March 25. It schedules meetings at each district school during the spring semester.

Colleen Ahrens said parents were prepared to help raise fund to buy the yurt, a round structure with lattice sides and a dome shaped roof made of vinyl laminated polyester. A brochure from Pacific Yurts, an Oregon company, said yurts are used for vacation retreats, workshops and temporary housing and a 30 foot diameter yurt cost about $7,000. Ahrens told the board other schools have put up yurts to provide extra space.

The school serves 76 students from kindergarten to grade five. The kindergarten and first grade combination class which has 31 students is overcrowded, Ahrens said, and the yurt could provide extra space for that class and possibly the music program. The school has three teachers including Paul Behan who is a teacher/principal.

"I don't want to dampen your enthusiasm, but an architect said it would have to meet the federal disability act," said Carmel Superintendent Vance Baldwin. He said ramps would have to be built to provide access for handicapped students. It would also have to meet state fire and earthquake codes, he said.

"Has there ever been another school which has had to limit programs due to space limitations?" Ahrens asked.

"This school compared with others in the state is not bad at all," Baldwin replied.

Parents at the school for the past several years have raised money in hopes of adding a multipurpose room. Last year the group had saved $30,000 for the project. Parents who are carpenters and who have other skills offered to volunteer labor to help build it, suggesting money could be saved by using part volunteer and part paid labor. But union officials came to a board meeting to protest using volunteer labor to build a school, insisting the whole project should be put out to bid.

The multipurpose room was estimated to cost $250,000, Behan said at the time. Another idea would be to purchase a 40-by-48 foot portable unit which would cost about half that, he said.

Baldwin told the parents their school needs would be considered along with the needs of other district schools at a school facilities meeting next Monday at 4 p.m. when a committee of 50 will begin to study all needs. He told the parents they are part of the district and don't have to do everything themselves.

Behan told of another parent, Erin Gafill, who had gone "door to door" in the Big Sur area with a school needs list which was called Adopt a Program.

"It has been hard to keep up with the thank yous," he said. Nepenthe gave $4,000 for physical education and Spanish/English instruction, he said, and $1,000 to the Apple Pie School for preschoolers for new equipment. Ventana, River Inn and Nepenthe also sponsor *The Herald* in a classroom program. Esalen Institute donated $500 for the garden project while Ventana and Glen Oaks co-sponsored a poet-in-residence, Sita Shulberg, he said.

Behan also reported on a tutorial program in which fourth and fifth graders and some third graders have been trained to work with younger students in phonic skills. They were also taught the social skills of making their students feel positive, he said.

One mother praised the program, saying her daughter is in third grade and had such poor reading skills that her teacher suggested she go back into the first grade for reading and start over from the beginning. "My daughter was mortified," she said. The tutoring program in a few months helped her catch up, the mother said.

Behan said Captain Cooper is working with the Big Sur Area State Park and Ventana Wilderness Sanctuary to develop a pilot program for next year. The nearby Garrapata, Andrew Molera, Pfeiffer Big Sur and Julia Pfeiffer Burns State Parks provide excellent opportunities for the students to learn about the diverse natural and cultural history of the Central Coast, he said.

Behan said six to eight programs would be scheduled which would be presented by State Park rangers and Ventana Wilderness staff.

CAPTAIN COOPER SCHOOL has 31 students in its kindergarten and first grade combination class. The above picture shows last year's class which teachers said was also overcrowded. Parents and teachers complained to the Carmel school board at its recent meeting at the school about the crowded conditions which they say limit the programs and activities usually included in kindergarten and first grade curriculums. The district has just organized a school facilities committee (see story page 10) to make recommendations to the district. *Sun photo by Carolyn Rice*

MONTE CARLO NIGHT
May 1st • Be There!
HIDDEN VALLEY MUSIC SEMINARS

It's YOUR Money
by
T. Frank Quilty
C. P. A.

There are only 15 days left to file your 1992 tax returns and many folks may begin to panic. Not to worry. You can easily extend the due date of your tax returns.

The IRS requires you file Form 4868 by April 15 which will automatically extend the due date of your return to August 15. If you can, you should figure the amount of tax due and pay it with Form 4868. But even if you can't pay the tax you should file the Form to avoid penalties for late filing of your return.

California makes it even easier. If you figure you owe no tax you do nothing and your return is not due until October 15. If you owe tax, complete Form 3519 and send the payment in with the Form before April 15.

Remember that the extensions only extend the due date of your return, not the time to pay tax. This if taxes are due and not paid by 4/15, penalties and interest will be due. Also remember that your IRA contribution for 1992 is due on 4/15 even if you extend your returns.

T. Frank Quilty, C.P.A.
659-5503

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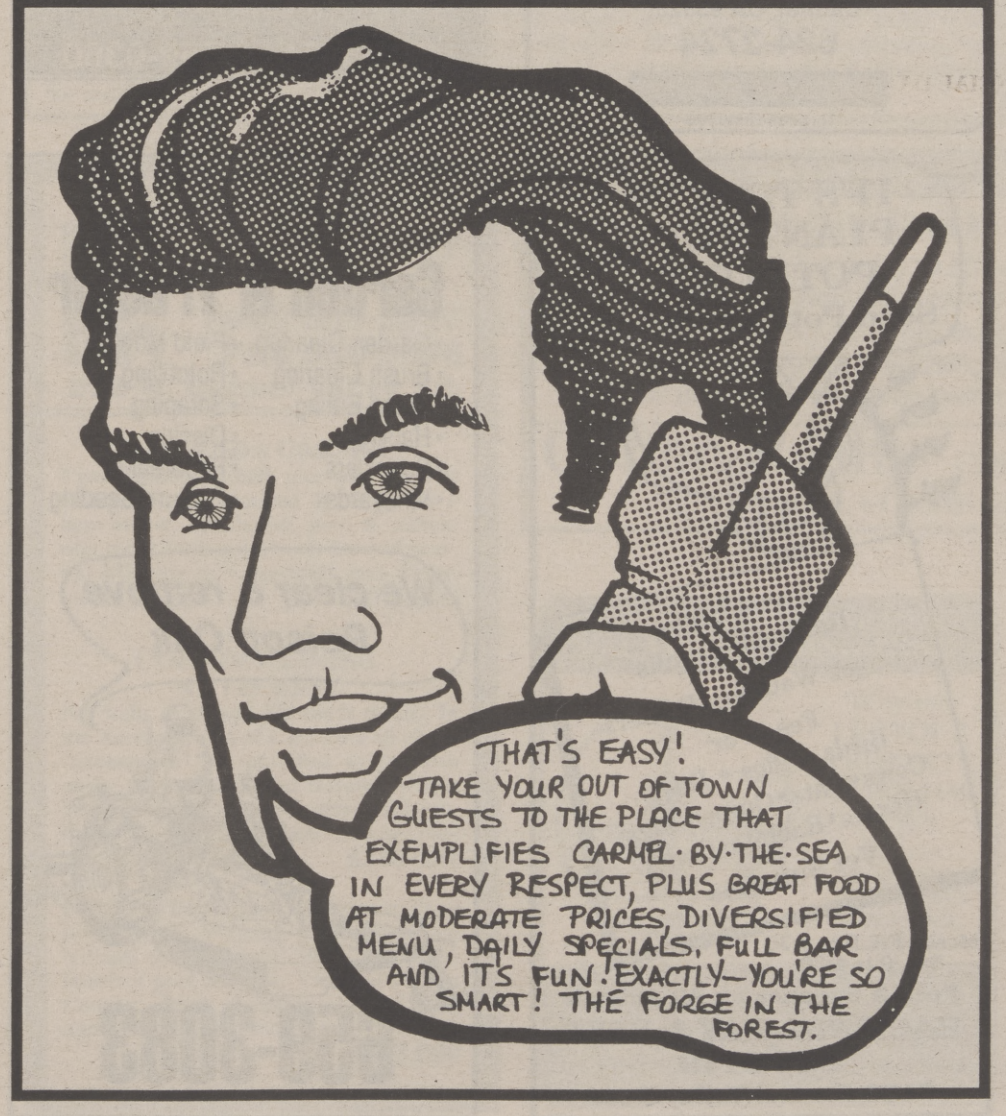
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TROWEL & HOE

BY MARK EATON

The number one affliction of rose gardeners on the Monterey Peninsula is the fungal disease known as powdery mildew.

Powdery mildew is an airborne fungus with which anyone who grows roses is familiar. If the disease is left unchecked, the plant can become disfigured and weakened.

Certain conditions make the spread of powdery mildew more favorable. It is important to remember that genetically some roses are more susceptible than others. You have a rose garden where spraying for mildew is kept to the bare minimum, but you may not have much in fragrance.

In the case of red hybrid teas, 'Mr. Lincoln' is one of the most popular. Dark red color, prolific bloomer, wonderful fragrance. But, if you think you are going to raise it around here and never have to spray, forget it. You will have to sacrifice the fragrance and stick with 'Olympiad' and 'Ingrid Berman.' I have two bushes of 'Ingrid Bergman' which I have never sprayed in three years and they have shown no mildew. I also grow a wonderful floribunda by Irish breeder Sam McGredy called 'Old Master.' It is known as one of McGredy's "hand painted" roses. It has a carmine red, semi-double flower with 12 to 15 petals, each appearing to have been brush stroked with a splash of white. Doesn't smell like much, but not a speck of mildew.

But I digress. We need to take a look at why powdery mildew is so prevalent in this area, especially on the immediate coast. Relatively warm days followed by cool nights, which we experience much of the time, are the basic culprits. A moist surface on the leaf at night, which can be caused by late watering but also, unfortunately, by driplets of fog, plays a major role. Plants under stress from lack of water are especially susceptible. Lack of sunshine and poor air circulation are two contributing factors which can be dealt with. Roses prefer at least six hours of direct sunlight per day and being planted too closely together, or in a corner where there is poor air movement, is a sure invitation to powdery mildew.

If you don't plant some of the better varieties of the old garden roses along with very disease resistant modern types, you will have to accept the fact that preventive spraying is inevitable. *Preventive* is the key word here because over-the-counter fungicides have very little *curative* powers. You have to start early in the season and keep at it. If you're approaching summer and roses are afflicted with a bad case of mildew, best to strip the bush of its foliage and let the plant start over.

Daconil, Funginex, Benomyl, Bayleton—these are all good materials when used as a preventive; but they should be handled with extreme care. Lime sulfur isn't bad, though it is accepted as an organic, I wouldn't want to inhale this any more than I would Funginex.

The newest, more or less organic, methods for mildew control have to do with a combination of baking soda and vegetable oil in a sprayer diluted with water. At the time of this writing I don't have the dilution in front of me, so I'll make sure I find it for next week's column. A couple in Carmel, who are avid rosarians have enjoyed success with this method, but you better really like to work with your roses—the application must be repeated about every five days.

Two anti-transpirants, Wilt-pruf and Cloudcover, can be used in mildew control. It won't say anything on the label about dosage, but the rate is one tablespoon per gallon of water, about every seven days. This method is fairly successful, especially if used with chemical spraying about once a month. But the one problem we have heard of is that sprayer parts can become clogged up after a few applications.

I'm the "main sprayer" at our nursery where we currently have about 2,000 roses. I use a spray which is not yet available to the general public called Rubigan. This is an excellent product and gives us good results. But I certainly don't enjoy spraying any more than anyone else. This is probably why I have mostly disease resistant roses in my home garden, even if I have to sacrifice fragrance in modern varieties. Spraying has to be done to keep most of the roses looking healthy, but it's certainly not my idea of a good time.

MISTER LINCOLN is a fragrant, red rose of the type susceptible to powdery mildew in the Monterey Peninsula area.

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Joan Fontaine Leads Cable-TV Fight

Actress Joan Fontaine, a resident of Carmel Highlands, is leading a petition drive protesting cutbacks in service by Falcon Cable Corp., which holds an exclusive franchise to serve the mountainous area.

"They've taken off C-Span and Bravo entirely," she told the *Sun*. "They've given us two Spanish-speaking stations. I don't know any Spaniards in the Highlands." Fontaine explained that subscribers were being charged $65 for a new cable box if they want to receive anything beyond the basic service, plus $15 each if anyone wants to subscribe to USA or Discovery.

The actress personally collected signatures at Thunderbird Book Store and Safeway at the mouth of the Valley.

She also was upset about losing two radio stations. The Highlands area south of Carmel is a mountainous area along the coast that cannot receive normal television or radio signals. The petitions are being sent to Alita Cozart, Monterey County Support Services, 855 East Laurel Drive, Bldg. C. Salinas, 93005.

"I would love all people to write to her," Fontaine said. "She says the franchise is coming up for review."

Fontaine collected signatures on a petition protesting "the arbitrary actions of Falcon Cable in excluding Bravo and C-Span from our available channels as well as KUSP and KBOQ from cable radio reception."

The petition asks the county "to immediately revoke the franchise license granted to Falcon TV because they have consistently failed to provide an acceptable level of service at a fee comparable to industry standards." It was presented on behalf of all Highlands residents and subscribers in Laguna Seca, Hidden Hills, Carmel Valley and La Mesa.

"This recent action is in addition to an outrageous increase in cost which is entirely unjustified based upon Falcon's historic record of unending, substandard video and audio reception, numerous outages and poor response to phone calls and requests for service."

REAL ESTATE VIEWPOINT

by John Saar, Broker

Your Earnest Money

When you place an offer on a home, it's traditional to put up an "earnest money" deposit. The idea is, as the name states, to ensure the sellers that you are, in fact, earnest.

The amount required varies from one area to another. As a general rule, however, the healthier the deposit, the more credible you'll look to the sellers. Once you've reached an agreement on price and terms, your check is placed in an escrow account. Then, at settlement, it is credited toward your down payment and closing costs. If you don't settle, you could lose your deposit unless the transaction fails due to something covered by a contingency clause. This could include an unsatisfactory structural inspection report, title problems, or inability to get financing within the time frame set out in your purchase agreement. Before turning it over to the agent, make certain that you understand your obligations under the contract and under what circumstances you might forfeit your deposit.

John Saar, Broker Associate, RE/MAX, Monterey Peninsula 624-6963

Home Sales will be returning next week.

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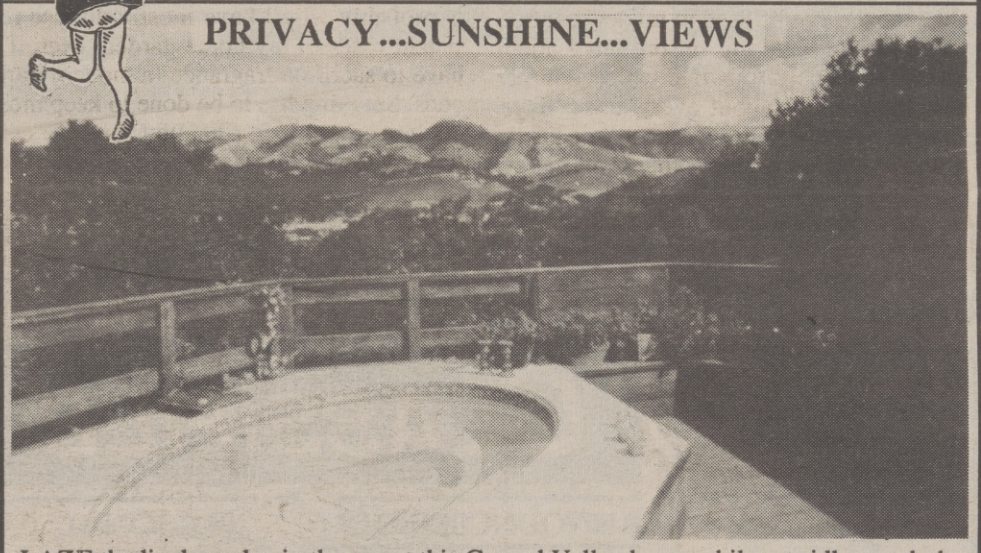

LAZE the livelong day in the spa at this Carmel Valley home while you idly watch the clouds scudding overhead. All this and heaven too in this cozy hideaway! The interior has been freshly painted, and the house is sparkling clean and ready for your enjoyment. You'll love the open beam ceilings and fireplace in the living room, along with french doors to the deck with its beautiful views of the distant hills. Other amenities include a sitting room adjoining the guest bedroom, a laundry room, and a stone patio for outside dining. Priced to sell at **$359,500.** Call for an appointment!

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BAY VIEWS
Enjoy beautiful bay views & the harbor lights at night from this spacious 3-bdrm, 3-bath Skyline Forest home. **$535,000.**

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LEGAL NOTICES

PRELIMINARY
CITY COUNCIL
CITY OF CARMEL-BY-THE-SEA
THE REGULAR MEETING
6 APRIL 1993
3:00 P.M. CLOSED SESSION
3:30 P.M. OPEN SESSION
(Council Chambers)

HEARING ASSISTANCE UNITS ARE AVAILABLE TO THE PUBLIC FOR MEETINGS HELD IN THE COUNCIL CHAMBERS

No agenda item will be considered after 9:00 p.m. unless approved by a majority vote of the City Council. Any agenda items not considered at the Regular Meeting will be continued to a future date as determined by the City Council.

I. ***CLOSED SESSION (3:00 P.M.)***

As permitted by Government Code Section 54956 *et seq.* of the State of California, the City Council may adjourn to Closed Session to consider specific matters dealing with personnel and/or pending possible litigation and/or conferring with the City Council's Meyers-Milias-Brown Act representative.

OPEN SESSION
3:30 P.M. TO 9:00 P.M.

II. ***ROLL CALL (3:30 P.M.)***

III. ***PLEDGE OF ALLEGIANCE***

IV. ***EXTRAORDINARY BUSINESS***

A. Presentation of Certificate of Appreciation to Brian T. Congleton for his service on the Planning Commission
B. Presentation of Certificate of Appreciation to Robert Infelise for his years of Service on the Community and Cultural Commission
C. Consideration of request from the Sunset Center Renovation Task Force to approve the Request for Proposal (RFP) for the renovation of the Sunset Center Theater and to loan up to $30,000 to fund the RFP

V. ***ANNOUNCEMENTS FROM CLOSED SESSION AND FROM CITY COUNCIL MEMBERS***

A. Announcements from Closed Session
B. General announcements from Council Members
C. Reports from Council representatives to outside agencies

VI. ***APPEARANCES***

Anyone wishing to address the City Council on matters within the jurisdiction of the City Council may do so now. Please rise, state your name and the matter on which you wish to speak. Matters not appearing on the City Council agenda will not receive action at this meeting. Presentations will be limited to three minutes, or as established by the City Council.

VII. ***CONSENT CALENDAR***

A. Approve the City Council minutes for the meetings of 22 February, 2 and 16 March 1993, copies having been distributed to the City Council
B. Ratify the bills paid for the month of March 1993, copies having been distributed to the Council members
C. Adopt Resolution No. 93-27 amending City Council Policy C89-13, Harassment/Sexual Harassment
D. Deny and refer claims for damages — Patricia Lynn Beutel and Laurie Lauderdale in amounts unknown
E. Adopt Resolution No. 93-35 endorsing the Carmel High School Grad Night
F. Adopt Resolution No. 93-36 accepting a gift of a used refrigerator donated by Lindsay Hanna, Enid Sales, Noel Van Bibber, and Ruth White for use at the First Murphy House
G. Adopt Resolution No. 93-37 establishing a procedure for consideration of Vested Development Agreements
H. Adopt Resolution No. 93-38 approving the Agreement for mutual exchange of services (Automatic Aid) between the City of Carmel-by-the-Sea and the Mid Carmel Valley Fire Protection District
I. Adopt Resolution No. 93-39 authorizing the Fire Department to support the Muscular Dystrophy Association "Fill-the-Boot" fund-raising campaign
J. Adopt Resolution No. 93-40 authorizing the expenditure of $215.29 from the Fire Department Equipment Acquisition Fund for additional repairs to the Hurst Rescue Tool
K. Adopt Resolution No. 93-41 amending the 1992-93 Biennial Budget (Mid-year Budget Adjustments)

VIII. ***PUBLIC HEARINGS***

A. Consideration of Resolution No. 93-21 making a finding of unmet transportation needs within the City of Carmel-by-the-Sea
B. Consideration of Resolution No. 93-42, Resolution of Intention to approve an Amendment to the Contract between the Board of Administration of the Public Employees' System and the City Council of Carmel-by-the-Sea, and consideration of Ordinance No. 93-07 authorizing an Amendment to the Contract between the City of Carmel-by-the-Sea and the Board of Administration of the California Public Employees' Retirement System

IX. ***ORDINANCES***

A. Consideration of Ordinance No. 93-06 amending Chapter 2.04.020 of the Municipal Code, "Council Meetings — Conflict with Holidays" (second reading)
B. Consideration of Ordinance No. 93-08 amending Chapters 2.28, 2.32, 2.36, 2.38, and 2.72 of the Municipal Code, Appointments to Boards and Commissions (first reading)

X. ***ORDERS OF COUNCIL***

A. Receive report from the 2016 Committee; consider the recommendation of the Committee to form a seven-member Task Force to receive community input, formulate a plan, and make a recommendation to the City Council on the Post Office Plaza Project

XI. ***RESOLUTIONS***

A. Consideration of recommendation of the Traffic Committee not to eliminate one parking stall on the west side of Lincoln Street approximately 100 feet north of 5th Avenue (Resolution 93-44)
B. Consideration of Resolution No. 93-34 amending the Vista Lobos Facility Use Guidelines and User Fee Schedule

XII. ***CONSENT CALENDAR (PULLED ITEMS)***

XIII. ***ADJOURNMENT***

Town Hall Meeting
26 April 1993
7:00 p.m.
(Sunset Center Carpenter Hall)

Regular Meeting
4 May 1993
3:00 (Closed Session)
3:30 p.m. (Open Session, City Hall Council Chambers)

For a recap of the City Council's actions, please call the hotline on Wednesday, 7 April
624-7045

Published 1 April 1993
The Weekly Sun

-PUBLIC NOTICE-

FICTITIOUS BUSINESS NAME STATEMENT
Filed March 9, 1993
File No. F930427

The following person(s) is (are) doing business as:
THE BEACHBUILDER COMPANY
2690 Walker Avenue
Carmel CA 93923
Melville Beardsley
2690 Walker Avenue
Carmel CA 93923

This business is conducted by an individual.

Registrant commenced to transact business under the fictitious business name listed above on 3/1/93.

(s) Melville Beardsley

This statement was filed with the County Clerk of Monterey County on date indicated by file stamp above.

CERTIFICATION: I hereby certify that the foregoing is a correct copy of the original in my office.
ERNEST A. MAGGINI, County Clerk
Mar. 18, 25. April 1, 8,1993
The Weekly Sun.

-PUBLIC NOTICE-

FICTITIOUS BUSINESS NAME STATEMENT
Filed March 4, 1993
File No. F930396

The following person(s) is (are) doing business as:
MOLERA BIG SUR TRAIL RIDES; VENTANA WILDERNESS EXPEDITIONS
38655 Tassajara Road
Carmel Valley, CA 93924
Moltana, Inc. A California Corporation
24380 San Luis
Carmel, CA 93923

This business is conducted by a corporation.

Registrant commenced to transact business under the fictitious business name listed above on 1/4/93

(s) Robert E. Graham
Chief Exec. Officer

This statement was filed with the County Clerk of Monterey County on date indicated by file stamp above.

CERTIFICATION: I hereby certify that the foregoing is a correct copy of the original in my office.
ERNEST A. MAGGINI, County Clerk
Mar. 11, 18, 25, Apr. 1, 1993.
The Weekly Sun.

-PUBLIC NOTICE-

FICTITIOUS BUSINESS NAME STATEMENT
Filed March 3, 1993
File No. F930385

The following person(s) is (are) doing business as:
CLASSIC BURGER
65 W. Carmel Valley Road
Carmel Valley CA 93924
Diane H. Vadas
65 West Garzas
Carmel Valley CA 93924
Paul Vadas
65 West Garzas
Carmel Valley CA 93924

This business is conducted by a N/A

Registrant commenced to transact business under the fictitious business name listed above on 3/15/93

(s) Diane H. Vadas

This statement was filed with the County Clerk of Monterey County on date indicated by file stamp above.

CERTIFICATION: I hereby certify that the foregoing is a correct copy of the original in my office.
ERNEST A. MAGGINI, County Clerk
Mar. 11, 18, 25, Apr. 1, 1993.
The Weekly Sun.

-PUBLIC NOTICE-

STATEMENT OF ABANDONMENT OF THE USE OF FICTITIOUS BUSINESS NAMES
Filed March 3, 1993
File No. F921130

The following persons have abandoned the use of the fictitious business name
CLASSIC BURGERS
13 W. Carmel Valley Road
Carmel Valley CA 93924

The fictitious business name referred to above was filed in Monterey County on 7/6/92
GABRIELA R. BUICH
8 Buena Vista Del Rio
Carmel Valley, CA 93924
JEFFREY A. BUICH
8 Buena Vista Del Rio
Carmel Valley CA 93924

This business is conducted by an individual.

Signed:Gabriela Buich

This statement was filed with the County Clerk of Monterey County on date indicated by file stamp above.

Publish: Mar.11, 18, 25, Apr. 1, 1993.
The Weekly Sun.

-PUBLIC NOTICE-

FICTITIOUS BUSINESS NAME STATEMENT
Filed March 1, 1993
File No. F930361

The following person(s) is (are) doing business as:
CARMEL CAROLING COMPANY
99 Carona Way
Carmel CA 93923
P.O. Box 2964
Carmel CA 93921
Holly Hofer Boughton
605 Victor St.
Salinas CA 93907
Lauri Alice Hofer
99 Carona
Carmel CA 93923
Alice R. Hofer
99 Carona Way
Carmel CA 93923
Carrie Beth Hofer
99 Carona Way
Carmel CA 93923
Larry E. Boughton
605 Victor St.
Salinas CA 93907

This business is conducted by a general partnership.

Registrant commenced to transact business under the fictitious business name listed above on 3/1/93

(s) Holly Hofer Boughton

This statement was filed with the County Clerk of Monterey County on date indicated by file stamp above.

CERTIFICATION: I hereby certify that the foregoing is a correct copy of the original in my office.
ERNEST A. MAGGINI, County Clerk
Mar. 11, 18, 25, Apr. 1, 1993.
The Weekly Sun.

-PUBLIC NOTICE-

FICTITIOUS BUSINESS NAME STATEMENT
Filed March 4, 1993
File No. F930399

The following person(s) is (are) doing business as:
Artist Representation & Trade (A.R.T.) / A.R.T. Publishing
#7 Merrill Way
Carmel Valley, CA 93924
Sarah P. Spencer
#7 Merrill Way
Carmel Valley, CA 93924

This business is conducted by an individual.

Registrant commenced to transact business under the fictitious business name listed above on N/A.

(s) Sarah P. Spencer

This statement was filed with the County Clerk of Monterey County on date indicated by file stamp above.

CERTIFICATION: I hereby certify that the foregoing is a correct copy of the original in my office.
ERNEST A. MAGGINI, County Clerk
Mar. 18, 25, April 1,8 1993
The Weekly Sun.

Fictitious Business Name
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THE SUN

Board Okays First Step for Rancho San Carlos

Continued from front page

from the Carmel Valley Master Plan area into the new comprehensive plan area.

"They are transferring something out that couldn't currently be built in Carmel Valley with water and traffic constraints," she told the *Sun* after the hearing.

There was no shortage of witnesses either for or against the comprehensive plan and 40 acre density which was developed by a subcommittee of the Planning Commission and approved by the full commission on an 8-1 vote on Feb. 10.

Don Flint identified himself as a property owner who lives behind the rancho gates. He said, "When these people bought the ranch, I was scared to death." But he testified, as did many other neighbors, that he has been favorably impressed by the plan. "It's the best plan we can come up with." Another neighbor, Bill Patterson, agreed, saying he had spent many hours researching the question.

Rancho San Carlos has said it plans to concentrate its development on 2,000 acres with about 18,000 acres of the ranch being placed in a permanent preserve. Opponents have complained the 2,000 are located all across the ranch, however.

Several people complained the development would be just for ultra-rich people. But Carmel Valley resident Gary Root, said, "I don't have a problem with rich people. They supply many jobs."

Several members of the Dormody family, which owns San Clemente Rancho adjacent to Rancho San Carlos, testified the EIR was inadequate.

"An inevitable legal battle will follow," Bruce Dormody said. "You should not rush the process for foreign investors who desire a return on their investment."

Dormody said a 150 room hotel would be the largest in Carmel Valley or Big Sur. "It would be the ninth largest in Monterey County."

Strasser Kauffman pressed ranch representatives for answers on traffic and water. "What do you propose to do with traffic when it hits Highway 1?" she asked Rick Dowling, a traffic consultant for the ranch.

The ranch would have to be part of whatever solution the community picks for Highway 1, he replied.

"I was hoping you would give us a specific solution," Strasser Kauffman said. "The widening of Highway 1 won't take care of it."

"Caltrans has said the only solution to traffic problems is the Hatton Canyon Freeway," Dowling said. "I don't agree that forecast is up to date."

Strasser Kauffman noted, "What's interesting to me is that nobody says it shouldn't be developed. No one has said there should be no project. The question is the size of the project."

But Rancho San Carlos is a newcomer, Strasser Kauffman said, and is vulnerable because of the land use policies in force in the Carmel Valley Master Plan.

"We need to meet the needs of the already existing community," she said. "If something is left over, fine."

Planning Director Robert Slimmon told the supervisors, "We don't consider this a site specific recommendation. When the project EIR is done, you will have all the answers everyone seems to be looking for."

Jim Cofer, general manager of the Monterey Peninsula Water Management District, expressed concerns about:

- potential impacts to surface water draining to the Carmel River.
- potential impacts of ground water in the Carmel Valley aquifer
- the reliability of the proposed water supply system for the rancho
- contingency plans in case of failure of all or part of the water supply system.

The supervisors added those concerns to a list of issues Rancho San Carlos must satisfy to obtain a project permit.

Walter Wong, county environmental health director, testified "there is not enough evidence to to show there is adequate water. The water issue is very critical." Wong said he wasn't saying no to a project, but was just asking to the ranch to "prove water."

Jay Gentry, director of marketing for Rancho San Carlos, read a letter from Robert Infelise, former Carmel school superintendent, which said the $800,000 current property tax would rise to $7,500,000 annually.

But Strasser Kauffman said she did not appreciate that kind of argument. "Large scale development does not pay its own way these days," she countered.

She said she would like to stay with the county regulations now in place for land use planning rather than turn to the comprehensive plan which gives special treatment for a project.

"It's a very bad precedent." She said the Odello farm, Pt. Lobos Ranches and Mission Ranch all had received special treatment. "It was a mistake in land use planning," she said.

Karas said he resented a letter he had received which asked him if anyone who worked at Rancho San Carlos was working on his political campaign. Karas declared it's a free country and people have the right to work on anyone's campaign. "I resent the implications. I know it's a controversial issue, but I will make my decision based on the facts."

Supervisor Barbara Shipnuck said piecemeal development would occur on the ranch if the comprehensive plan were not adopted. "How this has been lost sight of is astounding to me."

Bob Huff, who spoke in behalf of the Esselen Indians, said the village of Echillat stands in the way of Rancho San Carlos development. "It's an ancient preserve, and the Esselen Indians must be contacted before any development takes place," he said. "We're the ones who lose if a foreign corporation decides to build out Echillat."

Cañada Woods Hearing Set April 8

The Monterey County Planning Department recommended approval with conditions for a preliminary project review map for the Eastwood-Williams Cañada Woods Subdivision in Carmel Valley, the first step in a lengthy approval process.

Planner Ann Towner said the map would be considered at a 9:20 a.m. hearing April 8 in Salinas. She explained the process was completely separate from hearings before the Carmel Valley Residential Evaluation Subdivision Committee which must score the project for compliance with the Carmel Valley Master Plan.

According to Towner, the two processes can run parallel. Actions by both committees must be approved by the Board of Supervisors which give the project a final score and allocation of lots. It is only then, she explained, that the applicant makes a formal application for a subdivision map which then goes back through the entire planning process.

Towner said the only Valley project approved so far under the system was Quail Meadows. If everything moved quickly with no problems, she said it would be about a year before Cañada Woods was given final approval.

A field trip was scheduled Friday by the residential committee and a meeting set for May 13.

March Sales Tax Up

The City of Carmel reported sales tax receipts for the month of March totaled $1,255,761, up $16,418 from a year ago.

Assistant City Administrator Greg D'Ambrosio said the check for $124,243 was consistent with overall budget projections. Last year, the March sales tax took a sharp drop of $106,000 to just $81,000 forcing D'ambrosio to put an immediate freeze on all pending projects and to halt all discretionary purchases.

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